

REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO				CERTIFICATE NUMBER (FOR COMPTROLLER'S USE ONLY) N/A	
TO: CITY COUNCIL		FROM (ORIGINATING DEPARTMENT): Park and Recreation		DATE: 09/20/2013	
SUBJECT: Ratification of contract with South Bay Fence (Bid Number 10013916-11-P) for fence installation and maintenance services.					
PRIMARY CONTACT (NAME, PHONE): Kathy Ruiz, 619-221-8910 MS32			SECONDARY CONTACT (NAME, PHONE): Shelly Stowell, 619-221-8917		
COMPLETE FOR ACCOUNTING PURPOSES					
FUND					
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER					
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	\$0.00	\$0.00	\$0.00	0.00	0.00
FUND					
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER					
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00
COST SUMMARY (IF APPLICABLE): The total five-year cost of this fence services contract is projected to be \$3,412,378 throughout the City, of which \$2,443,630 (or 72%) is to be funded by the General Fund. The anticipated Fiscal Year 2014 expenditures (\$813,500) is budgeted in the ten funding sources listed in Attachment 1. Additional funds for future fiscal years' expenditures are contingent upon approval of the annual district budget and appropriation ordinance.					
ROUTING AND APPROVALS					
CONTRIBUTORS/REVIEWERS:		APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	
Environmental Analysis	Liaison Office	ORIG DEPT.	LoMedico, Stacey	9/24/2013	
Financial Management	Comptroller	CFO			
Public Utilities - Water		DEPUTY CHIEF			
Equal Opportunity Contracting		COO	Chadwick, Scott	10/21/2013	
Public Utilities - Wastewater		CITY ATTORNEY	Vacchi, Robert	10/22/2013	

		COUNCIL PRESIDENTS OFFICE			
PREPARATION OF:	<input checked="" type="checkbox"/> RESOLUTIONS	<input type="checkbox"/> ORDINANCE(S)	<input type="checkbox"/> AGREEMENT(S)	<input type="checkbox"/> DEED(S)	
<p>1. Request for the City Council to ratify the agreement between the City and South Bay Fence, Inc for the purpose of providing Citywide chain link fence installation, repairs and parts services (Bid Number 10013916-11-P).</p> <p>2. Authorize the Chief Financial Officer to expend an amount not to exceed \$813,500 in Fiscal Year 2014.</p> <p>3. Authorize the Chief Financial Officer to expend an amount not to exceed \$854,175 in Fiscal Year 2015, contingent upon adoption of the Fiscal Year 2015 Annual Budget Appropriation Ordinance.</p> <p>4. Authorize the Chief Financial Officer to expend an amount not to exceed \$896,884 in Fiscal Year 2016, contingent upon adoption of the Fiscal Year 2016 Annual Budget Appropriation Ordinance.</p>					
<p>STAFF RECOMMENDATIONS:</p> <p>Approve the resolution.</p>					
SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION)					
COUNCIL DISTRICT(S):		All			
COMMUNITY AREA(S):		All			
ENVIRONMENTAL IMPACT:		This activity is not a Project as defined in CEQA Guidelines Section 15378(b)(2) and Section 15378(b)(5). Based on the CEQA definitions above, the activity, which would award a contract for on-going fence installation services at City Park facilities, does not meet the definition of a project and would therefore, not be subject to CEQA pursuant to Section 15060(c)(3) of the State CEQA Guidelines.			
CITY CLERK INSTRUCTIONS:					

**COUNCIL ACTION
EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO**

DATE: 09/20/2013

ORIGINATING DEPARTMENT: Park and Recreation

SUBJECT: Ratification of contract with South Bay Fence (Bid Number 10013916-11-P) for fence installation and maintenance services.

COUNCIL DISTRICT(S): All

CONTACT/PHONE NUMBER: Kathy Ruiz/619-221-8910 MS32

DESCRIPTIVE SUMMARY OF ITEM:

This action would authorize the continuation of the contract with South Bay Fence for the purpose of providing Citywide chain link fence installation, repairs and parts services (Bid Number 10013916-11-P) in an amount not to exceed \$3,412,378 over a period of five years beginning in February 14, 2011 and ending in February 15, 2016. Temporary and permanent chain link fence provides for security of City buildings, equipment and other assets. It also helps protect turf and other park areas during times of turf renovation and repair.

STAFF RECOMMENDATION:

Approve the resolution.

EXECUTIVE SUMMARY OF ITEM BACKGROUND:

For over ten years, the City has used contractors to provide chain link fence installation and repair services. Temporary and permanent chain link fence provides for security of City buildings, equipment and other assets. It also helps protect turf and other park areas during times of turf renovation and repair.

Currently, these fence services are provided by South Bay Fence, Inc. as a result of a competitive bid process that concluded on February 15, 2011. The contract extends from February 15, 2011, to February 14, 2012, with options to renew for four (4) additional one (1) year periods through February 14, 2016. Staff extended the original contract by two options through fiscal year 2014. On April 22, 2013, during the second one-year option to the contract, Purchasing and Contracting notified City Departments that the current contract had reached the \$1,000,000 threshold which requires City Council approval. This action will allow the City to continue the contractual agreement with South Bay Fence, Inc. through February 14, 2016.

Per the San Diego Municipal Code §22.3211(d)), any contract that exceeds \$1 million in total expenditures over the extent of the maximum five-year contract period requires Council approval. Work under this contract has been suspended due to the probability that contract cost will exceed \$1,000,000 with any continued usage.

This contract will be used by several City departments, divisions, and programs (see Attachment 1). Contract costs between February 14, 2011 and February 15, 2013 are approximately \$847,819 with the projected five (5) year cost estimated to be \$3,412,378. Each department will be responsible for executing their purchase orders, communicating effectively with the vendor, and for communicating vendor performance issues with Purchasing and Contracting. The Park and Recreation Department is by far the most extensive user of the contract services.

On December 23, 2010, the City issued a comprehensive Request for Bids for chain link fence installation, repairs and parts services (Bid Number 10013916-11-P). The bid was advertised and posted on the City's website. No pre-bid conference was conducted and one addendum was issued on January 4, 2011. The deadline for participating vendors to submit a bid was January 18, 2011. Purchasing and Contracting received three bids by the closing deadline. One bid was rejected due to the bidder's failure to submit the pricing pages provided with Addendum A (issued on January 4, 2011). Staff analyzed the bids in accordance with Municipal Code §22.3001 et seq. The contract was awarded to the lowest bidder, South Bay Fence, Inc.

As a result of the anticipated cost of this work, these contracts are subject to the Living Wage Ordinance (LWO) compliance in accordance with Municipal Code §22.4201 et seq. As a result, the hourly rate for fence service work will be indexed in Fiscal Year 2014 and beyond for annual adjustments related to LWO compliance and inflationary increases tied to the San Diego-Urban Consumer Price Index (CPI).

FISCAL CONSIDERATIONS:

The total five-year cost of this fence services contract is projected to be \$3,412,378 throughout the City, of which \$2,443,630 (or 72%) is to be funded by the General Fund over the anticipated maximum five year contract term. Funding in the amount of \$813,500 is available from the ten funding sources listed in Attachment 1 in Fiscal Year 2014. Additional funds for future expenditures are contingent upon approval of the annual district budget and appropriation ordinance.

Any unspent funds below the total value of the contracts will be unencumbered and returned to the contributing fund's balance at the end of each fiscal year. If additional funds are needed for significant unforeseen needs, including emergencies such as major storms or if future budgets allocate more resources toward fence installation and maintenance services in the future, staff will return to the City Council for additional funding authorization beyond what is projected here.

EQUAL OPPORTUNITY CONTRACTING INFORMATION (IF APPLICABLE):

These contracts are subject to the City's Equal Opportunity Contracting (San Diego Ordinance No. 18173, Section 22.2701 through 22.2708) and the City's Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Sections 22.3501 through 22.3517).

PREVIOUS COUNCIL and/or COMMITTEE ACTION (describe any changes made to the item from what was presented at committee): None

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The Purchasing and Contracting Department issued a Request for Bids for the City-wide fence services solicitation on December 23, 2010, and advertised in the San Diego Daily Transcript and on the City's website.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Key stakeholders in this process are the user Departments of the contracts and members of the public who use City facilities. This service contract is necessary in order to provide security for City facilities and other assets and for public safety.

LoMedico, Stacey
Originating Department

Chadwick, Scott
Deputy Chief/Chief Operating Officer

ATTACHMENT 1

CURRENT AND PROJECTED CONTRACT EXPENDITURES BY FUND

Fund	Fund Name	Current Contract Expenditures FY11 - FY12	FY 2014	FY2015	FY 2016	Est. Total Contract (5 yrs)
100000	General Fund	\$622,535	\$577,667	\$606,550	\$636,878	\$2,443,630
700000	Muni Sewer Revenue Fund	\$44,570	\$57,500	\$60,375	\$63,394	\$225,838
700011	Water Utility Operating Fund	\$38,109	\$54,600	\$57,330	\$60,197	\$210,235
700043	Golf Course Enterprise Fund	\$55,568	\$21,000	\$22,050	\$23,153	\$121,771
700033	Airports Enterprise Fund	\$25,466	\$30,000	\$31,500	\$33,075	\$120,041
700000	Metro Sewer Utility Fund	\$2,624	\$32,900	\$34,545	\$36,272	\$106,341
MAD	Maintenance Assessment Districts Funds	\$25,308	\$19,000	\$19,950	\$20,948	\$85,206
700039	Refuse Disposal Enterprise Fund	\$29,072	\$16,667	\$17,500	\$18,375	\$81,613
200115	Qualcom Stadium Operations Fund	\$2,300	\$2,500	\$2,625	\$2,756	\$10,181
700048	Recycling Enterprise Fund	\$2,267	\$1,667	\$1,750	\$1,838	\$7,521
	TOTAL	\$847,819	\$813,500	\$854,175	\$896,884	\$3,412,378

CURRENT AND PROJECTED CONTRACT EXPENDITURES BY DEPARTMENT

Depart #	Department Name	Current Contract Expenditures FY11 - FY12	FY 2014	FY2015	FY 2016	Est. Total Contract (5 yrs)
2115	Environmental Services	\$33,605	\$20,000	\$21,000	\$22,050	\$96,655
1714	Park & Recreation	\$621,243	\$452,500	\$475,125	\$498,881	\$2,047,749
2000/2011 2012/2013	Public Utilities	\$85,303	\$145,000	\$152,250	\$159,863	\$542,415
2111	Airports	\$25,466	\$30,000	\$31,500	\$33,075	\$120,041
2116	Transp & Storm Water	\$39,951	\$138,500	\$145,425	\$152,696	\$476,572
Various	Other Departments	\$42,251	\$27,500	\$28,875	\$30,319	\$128,945
TOTAL	TOTAL	\$847,819	\$813,500	\$854,175	\$896,884	\$3,412,378



CITY OF SAN DIEGO

PURCHASING & CONTRACTING DEPT.

1200 Third Avenue, Suite 200
San Diego, CA 92101-4195

Bid No. 10013916-11-P

REQUEST FOR BID

Closing Date: January 18, 2011
@ 3:00 pm P.S.T.

Subject: Furnish the City of San Diego with Chain Link Fence, Installations, Repairs, and Parts

Timeline: As may be required for a period of one (1) year from date of award, with options to renew for four (4) additional one (1) year periods, in accordance with the attached specifications.

License(s) Required: California State Contractor's License C-13

Company South Bay Fence, Inc.

Name Larry Johnston

Federal Tax I.D. No. 95-2786168

[PRINT OR TYPE]

Street Address 3084 Main Street

Signature* [Signature]

City Chula Vista

Title President

State CA Zip Code 91911

Date _____

Tel. No. 619.420.3410 Fax No. 619.420.5665

**Authorized Signature: The signer declares under penalty of perjury that she/he is authorized to sign this document and bind the company or organization to the terms of this agreement.*

E-Mail info@sbfsdcoxmail.com

SUBMITTED BIDS MUST HAVE AN ORIGINAL SIGNATURE.

If your firm is not located in California, are you authorized to collect California sales tax? Yes No

If Yes, under what Permit # _____

Cash discount terms 0 % 0 days. [Terms of less than 20 days will be considered as Net 30 for bid evaluation purposes.]

City of San Diego Business Tax Certificate #: B1981007580

State delivery time required: _____ days after receipt of order.

FOR CONSIDERATION AS A RESPONSIVE BID, THE FOLLOWING IS REQUIRED:

- 1) Bid must be submitted on official City bid forms.
- 2) All information on this Request for Bid cover page must be completed.
- 3) This cover page must be signed with an original signature.
- 4) Bidders must complete and submit the Vendor Registration Form.
- 5) Bid must be submitted on or before the exact closing date and time. Bid received after the exact closing date and time will NOT be considered. If hand delivering, please allow enough time for travel and parking to submit by the closing date and time.

FOR FURTHER INFORMATION CONCERNING THIS BID, PLEASE CONTACT:

PATRICK KELLEHER/bl9, Principal Procurement Specialist

Phone: (619) 236-6214

Fax: (619) 533-3239

E-mail: PKelleher@sandiego.gov

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I. PRICING PAGE

Item No.	Est. Qty.	U/M	Description	Unit Cost	Extension
1.	1	EA	8" double wheel Ind	\$ 52.00	\$ 52.00
2.	12	FT	Angle iron track 1" x 1"	\$ 3.00 per ft.	\$ 36.00
3.	44	EA	Brace bands 1 5/8" through 6" w nut & bolt	\$ 1.00	\$ 44.00
4.	34	EA	Cement post footings	\$ 12.00	\$ 408.00
5.	50	FT	Chain link 3 1/2' high 9 ga green vinyl 2.65 Res.	\$ 4.65	\$ 232.50
6.	50	FT	Chain link 4' high 9 ga black vinyl 2.95 Res.	\$ 5.25	\$ 262.50
7.	10	FT	Chain link 5' high 9 ga green vinyl 3.80 Res.	\$ 6.60	\$ 66.00
8.	156	FT	Chain link 6' high 11 ga	\$ 2.95 per ft.	\$ 460.20
9.	10	FT	Chain link 8' high 9 ga	\$ 4.48	\$ 44.80
10.	5	FT	Chain link 8' high 9 ga black vinyl	\$ 10.56	\$ 52.80
11.	2	EA	Drop rod locking bar 1 3/8"	\$ 16.64	\$ 33.28
12.	20	EA	Eye tops 1 7/8" x 1 5/8"	\$ 2.21	\$ 44.20
13.	1,200	EA	Fence ties	\$.15	\$ 180.00
14.	600	EA	Flat washers	\$.10	\$ 60.00
15.	3	EA	Gate 10' w x 6' h Swing Gate	\$ 325.00	\$ 975.00
16.	3	EA	Gate fork latch	\$ 8.82	\$ 26.46
17.	12	EA	Gate hinges	\$ 7.72	\$ 92.64
18.	600	EA	Hammer nails 1/4"	\$.10	\$ 60.00
19.	10	LBS	Hog rings 9 gauge	\$ 3.50	\$ 35.00
20.	160	EA	Nails 1/2" x 12"	\$ 1.00	\$ 160.00

Item No.	Est. Qty.	U/M	Description	Unit Cost	Extension
21.	1	EA	Panel w bars 12' x 6' Tem Panel	\$ 165.00	\$ 165.00
22.	85	FT	Pipe 1 7/8" O.D.	\$ 1.54	\$ 130.90
23.	360	FT	Pipe 2 7/8" O.D.	\$ 2.87	\$ 1,033.20
24.	15	FT	Pipe 3 1/2" O.D.	\$ 5.00	\$ 75.00
25.	60	FT	Pipe 4" O.D.	\$ 5.29	\$ 317.40
26.	550	FT	Pipe top rail 1/58" O.D.	\$ 1.38	\$ 759.00
27.	32	EA	Post caps 1-5/8 - 4	\$ 2.76	\$ 88.32
28.	5	RL	Poultry Netting 6' High 150' per roll	\$ 105.70	\$ 528.50
29.	32	EA	Rail ends 1 5/8" O.D.	\$ 1.44	\$ 46.08
30.	50	EA	Tension bands 1 5/8" through 4" w nut & bolt	\$.88	\$ 44.00
31.	2	EA	Tension bars 4'	\$ 2.00	\$ 4.00
32.	8	EA	Tension bars 6'	\$ 3.36	\$ 26.88
33.	18	EA	Top rail sleeves	\$ 1.00	\$ 18.00
34.	2	EA	Track wheels	\$ 26.00	\$ 52.00
35.	36	EA	U-bolt Sign Brackets 2 7/8"	\$ 8.50	\$ 306.00
36.	800	HR	Labor Regular Working Hours	\$ 38.95	\$ 31,160.00
37.	200	HR	Labor Overtime Hours	\$ 49.61	\$ 9,922.00
TOTAL:					\$ 48,001.66

A. OTHER MATERIALS

For parts or materials not specified, Bidder offers 10 % discount off list price.

B. LABOR

Deleted

Deleted

Minimum Number of Hours Charged Per Job Site 3 **Hours**
Visit

NOTE: This bid is estimated at \$400,000.00 per year. A unit price is required for all items listed. Failure to do so may result in rejecting your bid submittal as un-responsive.

Labor costs include, but are not limited to an Iron Worker foreman with truck, Labor foreman, Operating Engineer, Laborers, compressor, portable welder, torch, and any and all additional equipment required to perform the work required under this contract including specialized equipment required. For the purpose of this bid, regular working hours are considered to be Monday through Friday, excluding official City holidays, 7:00 a.m. to 5:30 p.m. (but not to exceed eight (8) hours in any one day).

Prices for labor and materials will include all transportation, freight, handling, overhead, insurance, profit, and any and all other related costs.

II. SPECIFIC PROVISIONS

A. AWARD

This bid shall be awarded on an item by item basis, or in any group or combination of items, or as a lot, as may be in the best interest of the City.

B. LICENSES

To perform the work described in these specifications, the Bidder must hold a current CALIFORNIA STATE CONTRACTOR'S LICENSE C-13. Any Contractor holding a different license who feels qualified to bid on this work must notify the City Purchasing Agent in writing at least seven (7) days prior to the bid opening.

After a thorough review of the applicability of the proposed license substitution, the City will inform the Bidder, in writing, of its decision prior to the bid opening. The City's decision will be final.

	License Number	Expiration Date	Name
State of California Contractor's License	343571	11/30/2012	South Bay Fence Inc.

C. SUBMITTALS

1. BID SUBMITTAL

Bids must be returned in a sealed envelope to the Purchasing & Contracting Department, 1200 Third Avenue, Suite 200, San Diego, CA 92101. The bid number and closing date/time must be referenced on the outside of the envelope (lower left corner). Bids must be received by the Purchasing & Contracting Department Reception Desk prior to bid closing at 3:00 p.m. on bid closing date. Faxed bids will not be accepted.

The original and one (1) copy of bid, including any attachments, shall be submitted.

2. SUBMITTALS REQUIRED WITH BID

Failure to provide the required submittals with the bid shall be cause for the bid to be rejected as non-responsive.

- a. Recycled Material Certificate (as specified in Section II, paragraph G).
- b. Bidder's References (as specified in Section II, paragraph H).
- c. Bidder's Statement of Subcontractors (as specified in Section II, paragraph H).
- d. Vendor Registration (use form in Forms Section).

3. SUBMITTALS REQUIRED UPON PROVISIONAL AWARD

Failure to provide the following documentation within the time period specified may be cause for the provisional award to be voided and the bid to be rejected as non-responsive.

- a. Insurance and Bond Requirements as specified in City of San Diego General Provisions, Section II, paragraph F, if not currently on file.
- b. Taxpayer Identification Number (W-9) as specified in City of San Diego General Provisions, Section C, paragraph 15, if not currently on file.
- c. Business Tax Certificate as specified in Section II, paragraph L, if not currently on file.

D. OPTION TO RENEW

The City reserves the option to renew the contract for four (4) additional one (1) year periods under the terms and conditions herein stated beginning on the anniversary of the commencement of service. The renewal is contingent on a mutual agreement between the City and the Contractor with such agreement to be confirmed within sixty (60) days prior to the expiration of the contract period. Either the City or the Contractor may decline to confirm the renewal of the contract for any reason whatsoever, which shall render the renewal option null and void.

The City's initial letter offering the contractor an opportunity to renew the contract does not constitute an award of the option period. Any option acceptance must be confirmed by the City, in writing, before it becomes valid.

1. Labor

The City will not grant an option, if the contractor requests an increase which exceeds the average percentage variant for the previous twelve (12) months in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the San Diego area as published by the Bureau of Labor Statistics, or 5.0%, whichever is less. If a price increase is requested, the Contractor must provide detailed supporting documentation to justify the requested increase. The requested increase will be evaluated by the City, and the City reserves the right to accept or reject such request.

2. Materials

Bidder shall indicate the maximum percentage increase to which the prices in effect at the end of the current contract year would be subject if the renewal options were exercised. 5 %

Failure to submit or complete the price increase section above will be construed to mean that prices bid will not be increased during any option period. The City will not grant an option, if the Contractor requests a price increase which exceeds above stated percentage. If a price increase is requested, the Contractor must

provide detailed supporting documentation to justify the requested increase. The requested increase will be evaluated by the City, and the City reserves the right to accept or reject such request.

This section will not be considered in the evaluation for award.

The City may desire to extend a contract on a month-to-month basis upon expiration of the current contract period under the terms and conditions of the current contract unless modified in writing. The renewal is contingent on a mutual agreement between the City and the Contractor with such agreement to be confirmed in writing prior to the expiration of the contract period.

E. PRICE ADJUSTMENT CLAUSE FOR OPTION RENEWAL

In the event the Contractor does not request a price increase at the time of the contract renewal, and the Manufacturer subsequently announces a general increase in the price of their products, the Contractor may request an increase at that time. The Contractor must provide detailed supporting documentation from the Manufacturer to support the requested increase. The requested increase shall not exceed the percentage increase indicated in the "Option to Renew" clause.

F. INSURANCE REQUIREMENTS

Insurance. The winning Bidder/Proposer shall not begin any work under the Contract resulting from this solicitation until it has: (a) obtained, and upon the City's request provided to the City, insurance certificates reflecting evidence of all insurance required in below; however, the City reserves the right to request, and the Consultant shall submit, copies of any policy upon reasonable request by the City; (b) obtained City approval of each insurance company or companies; and (c) confirmed that all policies contain the specific provisions required below. Bidder/Proposer's liabilities, including but not limited to Bidder/Proposer's indemnity obligations, under the Contract resulting from this solicitation, shall not be deemed limited in any way to the insurance coverage required herein. Maintenance of specified insurance coverage is a material element of the Contract resulting from this solicitation and Bidder/Proposer's failure to maintain or renew coverage or to provide evidence of renewal during the term of the Contract resulting from this solicitation may be treated as a material breach of contract by the City. The Bidder/Proposer shall not modify any policy or endorsement thereto which increases the City's exposure to loss for the duration of the Contract resulting from this solicitation.

Deductibles. All deductibles on any policy shall be the responsibility of the Bidder/Proposer and shall be disclosed to the City at the time the evidence of insurance is provided.

Acceptability of Insurers. Except for the State Compensation Insurance Fund, all insurance required by the Contract resulting from this solicitation or in the Special General Conditions shall only be carried by insurance companies with a rating of at least "A-, VI" by A.M. Best Company, that are authorized by the California Insurance

Commissioner to do business in the State of California, and that have been approved by the City.

The City will accept insurance provided by non-admitted, "surplus lines" carriers only if the carrier is authorized to do business in the State of California and is included on the List of Eligible Surplus Lines Insurers (LESLI list). All policies of insurance carried by non-admitted carriers are subject to all of the requirements for policies of insurance provided by admitted carriers described herein.

Reservation of Rights. The City reserves the right, from time to time, to review the Bidder/Proposer's insurance coverage, limits, deductible and self-insured retentions to determine if they are acceptable to the City. The City will reimburse the Bidder/Proposer for the cost of the additional premium for any coverage requested by the City in excess of that required by the Contract resulting from this solicitation without overhead, profit, or any other markup.

Additional Insurance. The Bidder/Proposer may obtain additional insurance not required by the Contract resulting from this solicitation.

Excess Insurance. All policies providing excess coverage to the City shall follow the form of the primary policy or policies including but not limited to all endorsements.

Types of Insurance. At all times during the term of the Contract resulting from this solicitation, the Bidder/Proposer shall maintain insurance coverage as follows:

1. **Commercial General Liability.** Commercial General Liability (CGL) Insurance written on an ISO Occurrence form CG 00 01 07 98 or an equivalent form providing coverage at least as broad which shall cover liability arising from any and all personal injury or property damage in the amount of \$1,000,000.00 (one million) per occurrence and subject to an annual aggregate of \$2,000,000.00 (two million). There shall be no endorsement or modification of the CGL limiting the scope of coverage for either insured vs. insured claims or contractual liability. All defense costs shall be outside the limits of the policy.

Required Endorsements. The following endorsements to the policies of insurance are required to be provided to the City before any work is initiated under the Contract resulting from this solicitation.

Commercial General Liability Insurance Endorsements

ADDITIONAL INSURED. To the fullest extent allowed by law including but not limited to California Insurance Code Section 11580.04, the policy or policies must be endorsed to include as an Insured the City of San Diego and its respective elected officials, officers, employees, agents and representatives with respect to liability arising out of (a) ongoing operations performed by you or on your behalf, (b) your products, (c) your work, including but not limited to your completed

operations performed by you or on your behalf, or (d) premises owned, leased, controlled or used by you.

PRIMARY AND NON-CONTRIBUTORY COVERAGE. The policy or policies must be endorsed to provide that the insurance afforded by the Commercial General Liability policy or policies is primary to any insurance or self-insurance of the City of San Diego and its elected officials, officers, employees, agents and representatives as respects operations of the Named Insured. Any insurance maintained by the City of San Diego and its elected officials, officers, employees, agents and representatives shall be in excess of Bidder/Proposer's insurance and shall not contribute to it.

SEVERABILITY OF INTEREST. The policy or policies must be endorsed to provide that the Bidder/Proposer's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability and shall provide cross-liability coverage.

2. **Commercial Automobile Liability.** For all of the Bidder/Proposer's automobiles including owned, hired and non-owned automobiles, the Bidder/Proposer shall keep in full force and effect, automobile insurance written on an ISO form CA 00 01 12 90 or a later version of this form or an equivalent form providing coverage at least as broad for bodily injury and property damage for a combined single limit of \$1,000,000.00 (one million) per occurrence. Insurance certificate shall reflect coverage for any automobile (any auto).

Required Endorsements. The following endorsements to the policies of insurance are required to be provided to the City before any work is initiated under the Contract resulting from this solicitation.

Automobile Liability Insurance Endorsements

ADDITIONAL INSURED. To the fullest extent allowed by law including but not limited to California Insurance Code Section 11580.04, the policy or policies must be endorsed to include as an Insured the City of San Diego and its respective elected officials, officers, employees, agents and representatives with respect to liability arising out of automobile owned, leased, hired or borrowed by or on behalf of the Bidder/Proposer.

SEVERABILITY OF INTEREST. The policy or policies must be endorsed to provide that Bidder/Proposer's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability and shall provide cross-liability coverage.

3. **Workers' Compensation.** For all of the Bidder/Proposer's employees who are subject to the Contract resulting from this solicitation and to the extent required by the applicable state or federal law, the Bidder/Proposer shall keep in full force and effect, a Workers' Compensation policy. That policy shall provide a minimum of \$1,000,000.00 (one million) of employers' liability coverage, and the

Bidder/Proposer shall provide an endorsement that the insurer waives the right of subrogation against the City and its respective elected officials, officers, employees, agents and representatives.

Required Endorsements. The following endorsements to the policies of insurance are required to be provided to the City before any work is initiated under the Contract resulting from this solicitation.

Worker's Compensation and Employer's Liability Insurance Endorsements

WAIVER OF SUBROGATION. The Worker's Compensation policy or policies must be endorsed to provide that the insurer will waive all rights of subrogation against the City and its respective elected officials, officers, employees, agents and representatives for losses paid under the terms of this policy or these policies which arise from work performed by the Named Insured for the City.

G. RECYCLED MATERIAL CONTENT

City Council Policy No. 100-14 allows for a \$5,000.00 price preference per contract for products which are made partially or fully from recycled material(s). This preference will be applied during the bid evaluation for each contract. Please submit proof, such as a Recycled Material Certificate, Material Safety Data Sheet, or other with your bid.

Please specify the recycled material and the percentage of recycled material used (if any) in the product bid:

Type of recycled material: None

Percent of recycled material used: N/A

H. REFERENCES/QUALIFICATIONS

Bidders are required to demonstrate successful performance for work of similar size and scope as specified in this contract during the past three (3) years. Bidders must also demonstrate that they are properly equipped to perform the work as specified in this contract.

To enable the City to evaluate the responsibility, experience, skill, and business standing of the Bidder, the following documents must be included with the bid submittal:

1. Bidder's References (use form on in Forms Section).
2. Bidder's Statement of Subcontractors (use form Forms Section).

I. GENERAL PROVISIONS

Except as otherwise specified herein, the City of San Diego General Provisions, dated January 3, 2005, (on file in the Office of the Purchasing Agent) are incorporated as part of this bid and any resulting contract by reference. The General Provisions are available online at www.sandiego.gov/purchasing or via request from the Purchasing & Contracting Department by calling (619) 236-6000.

By signing and/or authorizing the bid submittal, the Bidder/Proposer acknowledges that they have read and understood the meaning, intent and requirements of said General Provisions; and acknowledge said General Provisions are included as a part of this bid.

J. SMALL EMERGING LOCAL BUSINESS PROGRAM

Prime vendors/contractors/consultants are encouraged to take positive steps to diversify and expand their Small Local Business Enterprises (SLBE)/ Emerging Local Business Enterprises (ELBE) solicitation base and to offer contracting opportunities to all eligible small emerging local businesses. To support its Equal Opportunity Contracting commitment, the City has established participation level(s) as defined in the following website, <http://www.sandiego.gov/eoc/boc/slbe.shtml>.

1. All professional services (non-Architectural/Engineering) contracts valued over \$50,000 or more have a voluntary SLBE/ELBE goal of 20%. Details can be found in the website above.
2. For all goods and services contracts valued over \$50,000, the City shall apply a 2% bid discount for either: 1) SLBE/ELBE prime contractors or 2) Prime contractors meeting the 20% voluntary SLBE/ELBE goal. The discount will not apply if the award to the discounted bidder would result in a total contract cost of \$10,000 in excess of the low, non-discounted bidder. Details can be found in the website above.

K. EQUAL BENEFITS

Effective January 1, 2011, any contract awarded from this solicitation is subject to the City of San Diego's Equal Benefits Ordinance [EBO], Chapter 2, Article 2, Division 43 of the San Diego Municipal Code [SDMC].

In accordance with the EBO, contractors must certify they will provide and maintain equal benefits as defined in SDMC §22.4302 for the duration of the contract [SDMC §22.4304(f)]. Failure to maintain equal benefits is a material breach of the contract [SDMC §22.4304(e)]. Contractors must notify employees of their equal benefits policy at the time of hire and during open enrollment periods and must post a copy of the following statement in an area frequented by employees:

During the performance of a contract with the City of San Diego, this employer will provide equal benefits to its employees with spouses and its employees with domestic partners.

Contractors also must give the City access to documents and records sufficient for the City to verify the contractors are providing equal benefits and otherwise complying with EBO requirements.

Full text of the EBO and the Rules Implementing the Equal Benefits Ordinance are posted on the City's website at www.sandiego.gov/purchasing/ or can be requested from the Equal Benefits Program at (619) 533-3948.

L. BUSINESS TAX CERTIFICATE

Any company doing business with the City of San Diego is required to comply with Section 31.0301 of the San Diego Municipal Code regarding Business Tax. For more information please visit the City of San Diego website at www.sandiego.gov/treasurer/ or call (619) 615-1500.

The City requires that each vendor to provide a copy of their Business Tax Certificate, or a copy of their application receipt. Failure to provide the required documents within ten (10) business days of the City's request may result in a Bid being declared non-responsive and rejected.

M. LIVING WAGE

Any contract awarded from this solicitation is subject to the City of San Diego's Living Wage Ordinance [LWO], Chapter 2, Article 2, Division 42 of the San Diego Municipal Code [SDMC]. Provisions of the LWO include requirements for contractors and subcontractors to pay specified rates and provide compensated and uncompensated days off for covered employees. Full text of the LWO and Rules Implementing the Living Wage Ordinance is posted on the City's website at www.sandiego.gov/purchasing/ or can be requested from the Living Wage Program at (619) 236-6682.

LWO wage and health benefit rates are adjusted annually in accordance with SDMC §22.4220(b) to reflect the Consumer Price Index. Any contract awarded from this solicitation must include this upward adjustment of pay rates to covered employees on July 1 of each year.

N. CONTRACTOR STANDARDS

This bid is subject to the Contractor Standards clause of the Municipal Code, Chapter 2, Article 2, Division 32 adopted by Ordinance No. O-19383. All Bidders are required to complete the Contractor Standards Pledge of Compliance included in this Request for Bid (use form in Forms Section). The Contractor Standards are available online at www.sandiego.gov/purchasing/vendor/index.shtml or by request from the Purchasing & Contracting Department by calling (619) 236-6000.

III. SPECIFICATIONS

A. WORK

All work shall comply with the most current "Green Book" Standard Specifications for Public Works Construction, and any supplements.

B. RESPONSE TIME

Telephone call outs by City personnel must be responded to within three (3) working hours. Work must be started within twenty-four (24) hours of request by City, unless City personnel specify a date and time on which work is to commence.

Exception: For work which requires USA Dig Alert notification to mark utilities and underground lines, work shall be started within seventy-two to ninety-six (72-96) hours (not including weekends/holidays).

BIDDER'S REFERENCES

The Bidder is **required** to provide a minimum of three (3) references where work of a similar size and nature was performed within the past three (3) years. This will enable the City of San Diego to judge the responsibility, experience, skill, and business standing of the Bidder.

REFERENCES

Company Name: Chula Vista Elementary School District **Contact Name:** Rudy
Address: 84 East "J" Street **Phone Number:** 619.425.9600
Chula Vista, CA 91911 **Fax Number:** 619.585.1311
Dollar Value of Contract: \$ 200,000.00 **Contract Dates:** June 30, 2010~
June 30, 2011
Requirements of Contract: Bid 08/09-10 Hand rail, pipe arm gates, parking
bollards chain link ornamental fencing
Certificate of Insurance, Bonding, Contractors License, DVBE requirements
School Year 2009-10

Company Name: NASSCO **Contact Name:** Joe Reap
Address: 2798 Harbor Drive **Phone Number:** 619.933.2527
San Diego, CA 92113 **Fax Number:** 619.544.7500
Dollar Value of Contract: \$ 100,000.00 **Contract Dates:** May 28, 2010 ~
May 27, 2011
Requirements of Contract: MU615328-D

Service-Fence installation, repairs and rental service.
Certificate of Insurance, Environmental Requirements and Security Clearanc

Company Name: San Diego Unified School District **Contact Name:** Liz Gabbard
Address: 2351 Cardinal Lane Bldg M **Phone Number:** 858.522.5822
San Diego, CA 92123 **Fax Number:** 619.542.5709
Dollar Value of Contract: \$ 50,000.00 **Contract Dates:** Sept 15, 2010~
Sept. 14, 2011
Requirements of Contract: SV-11-0364-64
Chain Link Fencing

BIDDER'S STATEMENT OF SUBCONTRACTORS

The Bidder is **required** to state below all subcontractors to be used in the performance of the proposed contract, and what portion of work will be assigned to each Subcontractor. Failure to provide details of Subcontractors may be grounds for rejection of bid. NOTE: Add additional pages if necessary.

Company Name: N/A Contact Name: _____

Address: _____ Phone Number: _____

_____ Fax Number: _____

Dollar amount of sub-contract: \$ _____ Contract Dates: _____

Contractor's License #: _____

Requirements of contract: _____

What portion of work will be assigned to this subcontractor: _____

Company Name: N/A Contact Name: _____

Address: _____ Phone Number: _____

_____ Fax Number: _____

Dollar amount of sub-contract: \$ _____ Contract Dates: _____

Contractor's License #: _____

Requirements of contract: _____

What portion of work will be assigned to this subcontractor: _____

Company Name: N/A Contact Name: _____

Address: _____ Phone Number: _____

_____ Fax Number: _____

Dollar amount of sub-contract: \$ _____ Contract Dates: _____

Contractor's License #: _____

Requirements of contract: _____

What portion of work will be assigned to this subcontractor: _____



**City of San Diego
Purchasing & Contracting Department
Contractor/Vendor Registration Form**

All prospective bidders, as well as existing contractors and vendors, are required to complete this form.

Vendor ID: _____

[ID Number will be provided by City]

Firm Info:

Firm Name: South Bay Fence, Inc
 (as reported on W9)
 Firm Address: 3084 Main Street
 City: Chula Vista State: CA Zip: 91911
 Phone: 619.420.3410 Fax: 619.420.5665
 Taxpayer ID: 95-2786168 Business License: B1981007580
 Website: www.southbayfence.net

Contact Info:

Contact Name: Darrel Johnston
 Title: Vice President
 Email: info@sbfd.sdcocmail.com
 Phone: 619.420.3410 Cell: 619.666.8182

☐ **Alternate Address (if different from above) to Receive Remittance:**

Mailing Address: Same as above
 City: _____ State: _____ Zip: _____

☐ **Alternate Address (if different from above) to Receive Bid/Contract Opportunities:**

Mailing Address: _____
 City: _____ State: _____ Zip: _____

Contractor Licenses (if applicable)

License Number: 343571 License Type: BC 13
 License Number: _____ License Type: _____
 License Number: _____ License Type: _____

Contractor/Vendor Registration Form -- Page 2

Firm Name:
(as reported on W9)

South Bay Fence, Inc.

Product/Services Information:

NIGP Codes:

* 33000

*find list of available NIGP Codes at <http://www.sandiego.gov/purchasing> OR request hard copy from Purchasing & Contracting

The City requires this information for statistical purposes only.

Primary Owner of the Firm* (51% ownership or more)	<input checked="" type="checkbox"/> Male	or	<input type="checkbox"/> Sole Proprietorship
	<input type="checkbox"/> Female		<input type="checkbox"/> Partnership
*Required			<input checked="" type="checkbox"/> Corporation
			<input type="checkbox"/> Limited Liability Partnership
			<input type="checkbox"/> Limited Liability Corporation
			<input type="checkbox"/> Joint Venture
			<input type="checkbox"/> Non-Profit
			<input type="checkbox"/> Governmental/Municipality/Regulatory Agency
		<input type="checkbox"/> Utility	

Ethnicity:

Ethnicity:

* Caucasian American

* select one from the following List of Ethnicities:

AFRICAN AMERICAN
ASIAN AMERICAN
CAUCASIAN AMERICAN
HISPANIC AMERICAN
NATIVE AMERICAN
PACIFIC ISLANDER AMERICAN

Ownership Classification

Classification:

* SBE

* select from the following List of Ownership Classification Codes (select all that apply):

WBE	(Woman Owned Business Enterprise)
OBE	(Other Business Enterprise)
DBE	(Disadvantaged Business Enterprise)
DVBE	(Disabled Veteran Business Enterprise)
SLBE	(Small Local Business Enterprise)
8(a)	(Small Business Administration 8(a) Enterprise)
SDB	(Small Disadvantaged Business Enterprise)
LBE	(Local Business Enterprise)
MLBE	(Micro Local Business Enterprise)
SBE	(Small Business Enterprise)
MBE	(Minority Business Enterprise)
EBE	(Emerging Business Enterprise)
ELBE	(Emerging Local Business Enterprise)

Certified by an Agency? ☒ No ☐ Yes (enter Certification Number and Certifying Agency below)

Certification #: Expiration Date:

Agency:

Certification #: Expiration Date:

Agency:

Information regarding a vendor's racial or gender ownership status will not be used as a factor in the City's selection process for any contract.

Please mail this form to: Purchasing & Contracting Department
1200 Third Avenue, Suite 200
San Diego, CA 92101

or fax to: 619/ 236-5904

City of San Diego Purchasing & Contracting Department
CONTRACTOR STANDARDS
Pledge of Compliance

Effective December 24, 2008, the Council of the City of San Diego adopted Ordinance No. O-19808 to extend the Contractor Standards Ordinance to all contracts greater than \$50,000. The intent of the Contractor Standards clause of San Diego Municipal Code §22.3224 is to ensure the City of San Diego conducts business with firms that have the necessary quality, fitness and capacity to perform the work set forth in the contract.

To assist the Purchasing Agent in making this determination and to fulfill the requirements of §22.3224(d), each bidder/proposer must complete and submit this *Pledge of Compliance* with the bid/proposal. If a non-competitive process is used to procure the contract, the proposed contractor must submit this completed *Pledge of Compliance* prior to execution of the contract. A submitted *Pledge of Compliance* is a public record and information contained within will be available for public review for at least ten (10) calendar days, except to the extent that such information is exempt from disclosure pursuant to applicable law.

All responses must be typewritten or printed in ink. If an explanation is requested or additional space is required, respondents must use the *Pledge of Compliance Attachment "A"* and sign each page. The signatory guarantees the truth and accuracy of all responses and statements. Failure to submit this completed *Pledge of Compliance* may make the bid/proposal non-responsive and disqualified from the bidding process. If a change occurs which would modify any response, Contractor must provide the Purchasing Agent an updated response within thirty (30) calendar days.

A. PROJECT TITLE:

Chain Link Fence, Installations, Repairs and Parts

Bid # 10013916-11-P

B. BIDDER/CONTRACTOR INFORMATION:

South Bay Fence, Inc

Legal Name	3084 Main Street, Chula Vista, CA 91911			DBA
Street Address	City	State	Zip	
Darrel Johnston	619.420.3410	619.420.5665		
Contact Person, Title	Phone	Fax		

C. OWNERSHIP AND NAME CHANGES:

1. In the past five (5) years, has your firm changed its name?

☐ Yes ☒ No

If Yes, use *Pledge of Compliance Attachment "A"* to list all prior legal and DBA names, addresses and dates when used. Explain the specific reasons for each name change.

2. In the past five (5) years, has a firm owner, partner or officer operated a similar business?

☐ Yes ☒ No

If Yes, use *Pledge of Compliance Attachment "A"* to list names and addresses of all businesses and the person who operated the business. Include information about a similar business only if an owner, partner or officer of your firm holds or has held a similar position in another firm.

D. **BUSINESS ORGANIZATION/STRUCTURE:** Indicate the organizational structure of your firm. Check one only on this page. Use *Pledge of Compliance Attachment "A"* if more space is required.

☒ **Corporation** Date incorporated: 05/03/1972 State of incorporation: California

List corporation's current officers: President: Larry Johnston
Vice Pres: Darrel Johnston
Secretary: Lea Johnston
Treasurer: Lea Johnston

Is your firm a publicly traded corporation? ☐ Yes ☒ No

If Yes, name those who own five percent (5%) or more of the corporation's stocks:

☐ **Limited Liability Company** Date formed: / / State of formation:

List names of members who own five percent (5%) or more of the company:

☐ **Partnership** Date formed: / / State of formation:

List names of all firm partners:

☐ **Sole Proprietorship** Date started: / /

List all firms you have been an owner, partner or officer with during the past five (5) years. Do not include ownership of stock in a publicly traded company:

☐ **Joint Venture** Date formed: / /

List each firm in the joint venture and its percentage of ownership:

Note: Each member of a Joint Venture must complete a separate *Contractor Standards Pledge of Compliance* for a Joint Venture's submission to be considered responsive.

E. FINANCIAL RESOURCES AND RESPONSIBILITY:

1. Is your firm in preparation for, in the process of, or in negotiations toward being sold?
☐ Yes ☒ No

If Yes, use *Pledge of Compliance Attachment "A"* to explain specific circumstances, including name of the buyer and principal contact information.

2. In the past five (5) years, has your firm been denied bonding?
☐ Yes ☒ No

If Yes, use *Pledge of Compliance Attachment "A"* to explain specific circumstances; include bonding company name.

3. In the past five (5) years, has a bonding company made any payments to satisfy claims made against a bond issued on your firm's behalf or a firm where you were the principal?
☐ Yes ☒ No

If Yes, use *Pledge of Compliance Attachment "A"* to explain specific circumstances.

F. PERFORMANCE HISTORY:

1. In the past five (5) years, has your firm been found civilly liable, either in a court of law or pursuant to the terms of a settlement agreement, for defaulting or breaching a contract with a government agency?
☐ Yes ☒ No

If Yes, use *Pledge of Compliance Attachment "A"* to explain specific circumstances.

2. In the past five (5) years, has a government agency terminated your firm's contract prior to completion?
☐ Yes ☒ No

If Yes, use *Pledge of Compliance Attachment "A"* to explain specific circumstances and provide principal contact information.

G. COMPLIANCE:

1. In the past five (5) years, has your firm or any firm owner, partner, officer, executives or management been criminally penalized or found civilly liable, either in a court of law or pursuant to the terms of a settlement agreement for violating any federal, state or local law in performance of a contract, including but not limited to laws regarding health and safety, labor and employment, wage and hours, and licensing laws which affect employees?
☐ Yes ☒ No

If Yes, use *Pledge of Compliance Attachment "A"* to explain specific circumstances surrounding each instance; include name of entity involved, specific infraction(s) or violation(s), dates of instances, and outcome with current status.

2. In the past five (5) years, has your firm been debarred or determined to be non-responsible by a government agency?
☐ Yes ☒ No

If Yes, use *Pledge of Compliance Attachment "A"* to explain specific circumstances of each instance; include name of entity involved, specific infraction, dates, and outcome.

H. BUSINESS INTEGRITY:

1. In the past five (5) years, has your firm been convicted of or found liable in a civil suit for making a false claim or material misrepresentation to a private or governmental entity?

☐ Yes ☒ No

If Yes, use *Pledge of Compliance Attachment "A"* to explain specific circumstances of each instance; include the entity involved, specific infraction(s) or violation(s), dates, outcome and current status.

2. In the past five (5) years, has your firm or any of its executives, management personnel, or owners been convicted of a crime, including misdemeanors, or been found liable in a civil suit involving the bidding, awarding, or performance of a government contract?

☐ Yes ☒ No

If Yes, use *Pledge of Compliance Attachment "A"* to explain specific circumstances of each instance; include the entity involved, specific infraction(s), dates, outcome and current status.

I. TYPE OF SUBMISSION: This document is submitted as:

☒ Initial submission of *Contractor Standards Pledge of Compliance*.

☐ Update of prior *Contractor Standards Pledge of Compliance* dated ____/____/____.


Complete all questions and sign below. Each *Pledge of Compliance Attachment "A"* page must be signed.

Under penalty of perjury under the laws of the State of California, I certify I have read and understand the questions contained in this *Pledge of Compliance* and that I am responsible for completeness and accuracy of responses and all information provided is true to the best of my knowledge and belief. I further certify my agreement to the following provisions of San Diego Municipal Code §22.3224:

- (a) To comply with all applicable local, State and Federal laws, including health and safety, labor and employment, and licensing laws that affect the employees, worksite or performance of the contract.
- (b) To notify the Purchasing Agent within fifteen (15) calendar days upon receiving notification that a government agency has begun an investigation of the Contractor that may result in a finding that the Contractor is or was not in compliance with laws stated in paragraph (a).
- (c) To notify the Purchasing Agent within fifteen (15) calendar days when there has been a finding by a government agency or court of competent jurisdiction of a violation by the Contractor of laws stated in paragraph (a).
- (d) To provide the Purchasing Agent updated responses to the *Contractor Standards Pledge of Compliance* within thirty (30) calendar days if a change occurs which would modify any response.
- (e) To notify the Purchasing Agent within fifteen (15) days of becoming aware of an investigation or finding by a government agency or court of competent jurisdiction of a violation by a subcontractor of laws stated in paragraph (a).
- (f) To cooperate fully with the Purchasing Agent and the City during any investigation and to respond to a request for information within ten (10) working days from the request date.

Failure to sign and submit this form with the bid/proposal shall make the bid/proposal non-responsive.

Larry Johnston President
Print Name, Title


Signature

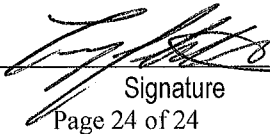
1-14-11
Date

City of San Diego Purchasing & Contracting Department
CONTRACTOR STANDARDS
Pledge of Compliance Attachment "A"

Provide additional information in space below. Use additional *Pledge of Compliance Attachment "A"* pages as needed; sign each page. Print in ink or type responses and indicate question being answered. Information provided will be available for public review, except if exempt from disclosure pursuant to applicable law.

Under penalty of perjury under the laws of the State of California, I certify I have read and understand the questions contained in this *Contractor Standards Pledge of Compliance* and that I am responsible for completeness and accuracy of responses on this *Pledge of Compliance Attachment "A"* page and all information provided is true to the best of my knowledge.

Larry Johnston-President
Print Name, Title


Signature
Page 24 of 24

1-14-11
Date

EQUAL BENEFITS ORDINANCE CERTIFICATION OF COMPLIANCE



For additional information, contact:

CITY OF SAN DIEGO

EQUAL BENEFITS PROGRAM

202 C Street, MS 9A, San Diego, CA 92101

Phone (619) 533-3948 Fax (619) 533-3220

COMPANY INFORMATION

Company Name: South Bay Fence, Inc.

Contact Name: Larry Johnston

Company Address: 3084 Main Street

Contact Phone: (619) 420-3410

Chula Vista, CA 91911

info@spf.sdcoxmail.com
Contact Email:

CONTRACT INFORMATION

Contract Title: Chain Link Fence, Installations, Repairs and Parts

Start Date:

Contract Number (if no number, state location): Bid# 10013916-11-P

End Date:

SUMMARY OF EQUAL BENEFITS ORDINANCE REQUIREMENTS

The Equal Benefits Ordinance [EBO] requires the City to enter into contracts only with contractors who certify they will provide and maintain equal benefits as defined in SDMC §22.4302 for the duration of the contract. To maintain equal benefits a contractor shall:

- Offer equal benefits to employees with spouses and employees with domestic partners in accordance with the EBO.
 - Benefits include health, dental, vision insurance; pension/401(k) plans; bereavement, family, parental leave; discounts, child care; travel/relocation; employee assistance programs; credit union; or any other benefit.
 - If a contractor does not offer a benefit to an employee with a spouse, that same benefit is not required to be offered to an employee with a domestic partner.
- Post notice of firm's equal benefits policy in the workplace and notify employees at time of hire and during open enrollment periods.
- Allow City access to records, when requested, to confirm compliance with equal benefits requirements.
- Submit *EBO Certification of Compliance*, signed under penalty of perjury, prior to award of contract.

This summary is provided for convenience. Full text of the EBO and Rules Implementing the EBO are available at www.sandiego.gov.

CONTRACTOR EQUAL BENEFITS ORDINANCE CERTIFICATION

Please indicate your firm's compliance status with the EBO by selecting A, B, or C below. The City may request supporting documentation.

A. ☒ I affirm **compliance** with the EBO because my firm (*contractor must select one reason*):

- ☐ Provides identical benefits to spouses and domestic partners.
- ☒ Provides no benefits to spouses or domestic partners.
- ☐ Has no employees.

B. ☐ I am not now in compliance, but request approval of **provisional compliance** with the EBO (*contractor must select one*):

- ☐ Until my firm completes administrative steps to implement compliance (3 month maximum).
- ☐ Until effective date of my firm's first open enrollment period (1 year maximum).
- ☐ Until expiration of current collective bargaining agreement(s) with my firm.

C. ☐ I request approval to pay affected employees a **cash equivalent** in lieu of equal benefits and verify my firm (*contractor must select all*):

- ☐ Made reasonable efforts to comply, but will not be able to comply with EBO requirements before contract completion.
- ☐ Will amend policies to extend benefits for which a cash equivalent is not available to domestic partners.
- ☐ Will notify employees of the availability of a cash equivalent in lieu of equal benefits.

Under penalty of perjury under laws of the State of California, I certify I understand and will comply with requirements of the Equal Benefits Ordinance in the manner affirmed above in accordance with San Diego Municipal Code, Chapter 2, Article 2, Division 43 and the Rules Implementing the Equal Benefits Ordinance.

Larry Johnston-President

Name/Title of Signatory


Signature

1-14-11

Date

FOR OFFICIAL CITY USE ONLY

Receipt Date:

EBO Analyst:

☐ Approved

☐ Not Approved – Reason:

**Request for Taxpayer
Identification Number and Certification**

Give form to the
requester. Do not
send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)

South Bay Fence, Inc.

Business name, if different from above

Check appropriate box: ☐ Individual/Sole proprietor ☒ Corporation ☐ Partnership
☐ Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶
☐ Other (see instructions) ▶

☐ Exempt
payee

Address (number, street, and apt. or suite no.)

3084 Main Street

City, state, and ZIP code

Chula Vista, CA 91911

Requester's name and address (optional)

City of San Diego

**1200 Third Avenue; Suite 200
San Diego, CA 92101**

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number

or

Employer identification number

95 2786168

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

**Sign
Here**

Signature of
U.S. person ▶

Date ▶

12-27-10

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

POST IN CONSPICUOUS PLACE OR KEEP ON PERSON

CITY OF SAN DIEGO * CERTIFICATE OF PAYMENT OF BUSINESS TAX



Certificate Number: B1981007580

Business Name: SOUTH BAY FENCE INC

Business Owner: SOUTH BAY FENCE INC

Business Address: 3084 MAIN ST
CHULA VISTA CA 91911-5704

Primary
Business Activity: SPECIAL TRADE CONTRACTORS

Secondary
Business Activity:

Effective Date: 07/01/2010

Expiration Date: 06/30/2011

SOUTH BAY FENCE INC
LARRY JOHNSTON
3084 MAIN ST
CHULA VISTA, CA 91911

PLEASE NOTIFY THE CITY TREASURER'S OFFICE IN WRITING OF ANY CHANGE IN OWNERSHIP OR ADDRESS - BUSINESS TAX DIVISION, PO BOX 122289, SAN DIEGO, CA 92112



State Of California
CONTRACTORS STATE LICENSE BOARD
ACTIVE LICENSE



License Number **343571**

Entity **CORP**

Business Name **SOUTH BAY FENCE INC**

Classification(s) **B C13**

Expiration Date **11/30/2012**

www.cslb.ca.gov





CITY OF SAN DIEGO
Engineering and Capital Projects

PRE-QUALIFICATION PROGRAM
QUESTIONNAIRE
FOR SMALL PROJECTS
\$1 MILLION OR LESS

APPLICATION

Pre-Qualification Program Questionnaire for Small Projects

CITY OF SAN DIEGO



Are you bidding on a City project? Date of bid: January 18, 2011

For Use by Engineering & Capital Projects Staff

Project Title and Bid Date: City of San Diego

Bid# 10013916-11-P

Ownership Type
check one☐ Sole Proprietor☐ Partnership☒ Corporation, S-Corp, LLC

Received Date

Approval Date

Expiration Date

	Sole Proprietor	Partnership	Corp/S/LLC	Required Copies of Documents
A	X	X	X	Appropriate License Number and Classification
B			X	Corporate License, including date approved by California Secretary of State
C	X	X	X	Bond letter stating limits for single project and aggregate program (for Public Works contracts only)

1. Name of Company, including DBAs (Doing Business As): South Bay Fence, Inc.

2. Principal Place of Business:

EIN:

3084 Main Street, Chula Vista, CA 91911

3. Mailing Address (if different from above): Same as above

4. Owner's Name(s): Larry Johnston

619.420.3410 619.420.5665 info@sbfsdcoxmail.com

5. Telephone: Fax: Cell: E-mail:

6. Date Business was established: 1960

7. If business address and/or phone number is the same as residence, is there another office located outside the residence: ☐ Yes ☒ No

If Yes, please indicate City and State:

8. Are any owner(s) also employees of the City of San Diego? ☐ Yes ☒ No

If yes, in what capacity?

9. Indicate the nature of the firm's business: Fence installation, service, repair, rental and parts

10. Indicate name of license holder, type of license, and license number.

South Bay Fence, Inc. Exp. 11/30/12 B C 13 #343571

APPLICATION*Pre-Qualification Program Questionnaire for Small Projects*

CITY OF SAN DIEGO



11. Work Description: Briefly describe the type of services your firm provides.

Supply and install chain link, wood, ornamental fence, gates, guard rails,
cages, enclosures, automated gate operating systems and materials

12. Ownership Information: Identify all owners of the business.

Name	Percentage of Ownership
Larry Johnston	50%
Darrel Johnston	50%

13. List the last three relevant projects performed by the company.

Project Name	Owner, Contact Name & Telephone Number	Total Dollar Amount of Contract	Date Completed
Proctor Valley Road	City of S.D. 619.533.4101	297,000.00	11/24/10
Lake Sutherland Reservoir	City of S.D. 760.522.8891	53,000.00	10/18/10
Drain Channel	G.S. Storm Water	153,100.00	07/02/10

AFFIDAVIT

The undersigned declares and swears under penalty of perjury that the foregoing statements are true, correct, and complete and accurately explain the operations of (name of firm):

Additionally, the undersigned agrees, during the term of this certification, to immediately notify the City of San Diego when changes in the information provided on this application occur.

Further, the undersigned agrees to provide to the City current, complete and accurate information regarding actual work performed on projects; the payment thereof; and proposed changes, if any, of the foregoing arrangements. The undersigned agrees to permit the audit and examination of books, records, and files of the named firm. Any material misrepresentation will be grounds for terminating any contract which may be awarded and for initiating action under federal, state, or local laws concerning false statements.

South Bay Fence, Inc.

Name of Firm (print)

1-17-11

Date

Darrel Johnston

Name and Title (print)



Signature



South Bay Fence Inc.

3084 MAIN STREET
CHULA VISTA, CA. 91911

Lic.#343571

PHONE: (619) 420-3410
FAX: (619) 420-5665

"No Job Too Tough"

FAX TRANSMITTAL

COMPANY: San Diego Purchasing DATE: Jan 24 - 11
ATTN: Pat Kelleher FROM: Larry
FAX: 619 533-3239 NO. OF PAGES INCLUDING
COVER PAGE: _____

Pat,

Here are some letters from our material
suppliers. 90% of all the materials we
use are made of steel; chain link fabric,
pipe, fittings, tension wire etc; of which
50% to 80% of this is recycled steel.

Please call if you have any questions or need
more information.

Thank You!

Larry.

01/24/2011 10:47 6194491783
01/24/2011 10:07 6187689454

BUILDERS FENCE CORP

BFC CORPORATE

PAGE 04/05

Wheatland Tube Company

A Division of John Manacely Company

Wheatland Tube Division
One Council Avenue
Wheatland, PA 16161
Ph: 724-342-6851

Ref: LEED - Leadership in Energy and Environmental Design

To whom it may concern:

This letter is a follow up to your inquiry concerning the amount of recycled material in Wheatland's pipe and conduit products.

The pipe and conduit products manufactured by Wheatland Tube Company are produced from approximately 25% to 85% recycled steel. The amount can vary depending on the scrap prices.

Of the 25 to 85% recycled steel approximately 30% is post-industrial and 70 % is post-consumer depending on fluctuating scrap prices.

The American Iron and Steel Institute (AISI) website states: "Steel's recycling rate of 66% is far higher than that of any other material capturing twice as much tonnage as all other materials combined."

Wheatland has eight manufacturing facilities in six locations including: Wheatland, Pennsylvania; Sharon, Pennsylvania; Warren, Ohio; Niles, Ohio; Cambridge, Ohio and Chicago, Illinois.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,

Michael S. Ryan

Michael S. Ryan
Technical Services Manager



JAN-24-2011 MON 11:41 AM SOUTH BAY FENCE

FAX NO. 6194205665

P. 03

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JUN 17 2009 1:14PM HEARNE STEEL

BUILDERS FENCE CORP
BFC CORPORATE

PAGE 03/05

PAGE 03/05

9782796529

P. 1

Hearne Steel Company, Inc.

HEARNE, TEXAS

Leading Manufacturers Of Chain Link Fence Fixings

J.C. AMOS, President
B.W. AMOS, Vice-President
CONNIE ECKES, Secretary
C.R. AMOS, CPA-Treasurer

OFFICE ADDRESS:
P.O. BOX 1239
HEARNE, TEXAS 77049
PHONE: 978/279-3466
FAX: 978/279-6529

June 16, 2009


Ref: LEED Information

To Whom It May Concern:

The Fence Hardware manufactured by Hearne Steel Company is produced from recycled steel. The amount of recycled steel can vary depending upon the process of melting by various steel mills. Depending on what process is used approximately 30% to 90% is recycled steel. Of the 30% to 90% approximately 70% is post-consumer and 30% is post-industrial. Hearne Steel Company's manufacturing facility is located in Hearne, Texas.

If any additional information is needed, please do not hesitate to contact me.

Sincerely,


Rodney Amos
Vice President
Hearne Steel Company Inc.

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BUILDERS FENCE CORP

PAGE 02/05

BFC CORPORATE

PAGE 02/05

tyco
Electrical &
Metal Products



Tyco Electrical & Metal Products
Allied Tube & Conduit
Fence Division
16100 S. Latrop Ave.
Mersey, IL 60450

Tel: 708-225-7500
800-852-5543
Fax: 708-334-2373

www.atcfence.com

To Whom It May Concern:

Thank you for your inquiry concerning the use of recycled steel in Allied Tube products. Allied Tube & Conduit manufactures galvanized steel fence framework.

Unlike other materials, steel contains recycled material and is also fully recyclable. In fact, according to the Steel Recycling Institute (SRI), steel is the world's most recycled material.

The amount of recycled material in our steel fence products depends upon the process used by our various steel suppliers. If the pipe is made from a steel coil that comes from a steel mini-mill, then the scrap or recycled content of the steel is between 95-100%. Because mini-mills use a technology called "electric arc furnace" (EAF) that allows them to use up to 100% scrap. If the pipe is made from a steel coil that comes from an integrated mill, then the scrap or recycled content of the steel is about 30% because integrated mills use a technology called "basic oxygen furnace" (BOF) that restricts the use of scrap steel to no more than 30%.

Both the EAF and the BOF methods provide an enhanced environmental benefit. One is not environmentally superior to the other, since they are both complementary parts of the total interlocking infrastructure of steelmaking, product manufacture, and recycling, as explained on the Steel Recycling Institute's website.

You may want to review two articles by the Steel Recycling Institute (www.recycle-steel.org) for further information. The two segments are "Steel Takes LEED with Recycled Content" and "Modern Steel Production Technologies".

If you have additional questions, please let me know.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Elaine Thompson".

Elaine Thompson
Director of Industry Affairs
Allied Tube & Conduit
Phone: 708-225-2069
Fax: 708-225-2066
Email: ethompson@alliantube.com

JAN-24-2011 MON 11:41 AM SOUTH BAY FENCE

FAX NO. 6194205665

P. 05

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BUILDERS FENCE CORP
BFC CORPORATE

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05/28/2010 15:58 16167688124
05/12/2010 10:45 6187689454

BUILDERS FENCE SV
BFC PURCHASING

PAGE 01/01

PAGE 01/01



SWAN FENCE INC.
300 W. MAINVILLE ST.
COMPTON, CA 92230
TEL: 910-686-8000 / FAX: 910-686-8100
www.swanfence.com

June 17, 2009

Builders Fence Company
Attn: Michelle Campbell
8927 San Fernando Road
San Valley, CA 91351

Re: Recycled Material Content

Dear Michelle:

This letter is to inform you of the recycled material content in the expanded bonded chain link Swan Fence Inc. manufactures.

The Expanded Bonded chain link contents are approximately 1% adhesive of which there are no recycled materials used, 84% steel of which 60% comes from recycled material and 15% PVC of which there are no recycled materials used. Based on the percentages listed above, approximately 50.4% comes from recycled material.

Please do not hesitate to call should you need additional information.

Sincerely,

Matt Dakin
Production Manager



CITY OF SAN DIEGO

PURCHASING & CONTRACTING DEPT.

1200 Third Avenue, Suite 200

San Diego, CA 92101-4195

Bid No. 10013916-11-P

REQUEST FOR BID

Closing Date: January 18, 2011
@ 3:00 pm P.S.T.

Subject: Furnish the City of San Diego with Chain Link Fence, Installations, Repairs, and Parts

Timeline: As may be required for a period of one (1) year from date of award, with options to renew for four (4) additional one (1) year periods, in accordance with the attached specifications.

License(s) Required: California State Contractor's License C-13

Company _____	Name _____ [PRINT OR TYPE]
Federal Tax I.D. No. _____	Signature* _____
Street Address _____	Title _____
City _____	Date _____
State _____ Zip Code _____	
Tel. No. _____ Fax No. _____	<i>*Authorized Signature: The signer declares under penalty of perjury that she/he is authorized to sign this document and bind the company or organization to the terms of this agreement.</i>
E-Mail _____	SUBMITTED BIDS MUST HAVE AN ORIGINAL SIGNATURE.
If your firm is not located in California, are you authorized to collect California sales tax? _____ Yes _____ No	Cash discount terms _____ % _____ days. [Terms of less than 20 days will be considered as Net 30 for bid evaluation purposes.]
If Yes, under what Permit # _____	State delivery time required: _____ days after receipt of order.
City of San Diego Business Tax Certificate #: _____	

FOR CONSIDERATION AS A RESPONSIVE BID, THE FOLLOWING IS REQUIRED:

- 1) Bid must be submitted on official City bid forms.
- 2) All information on this Request for Bid cover page must be completed.
- 3) This cover page must be signed with an original signature.
- 4) Bidders must complete and submit the Vendor Registration Form.
- 5) Bid must be submitted on or before the exact closing date and time. Bid received after the exact closing date and time will NOT be considered. If hand delivering, please allow enough time for travel and parking to submit by the closing date and time.

FOR FURTHER INFORMATION CONCERNING THIS BID, PLEASE CONTACT:

PATRICK KELLEHER/bl9, Principal Procurement Specialist

Phone: (619) 236-6214

Fax: (619) 533-3239

E-mail: PKelleher@sandiego.gov

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I. PRICING PAGE

A. FABRIC

Item No.	U/M	Description	Total Cost
1.	SQ. FT.	Eight (8) Gauge 2" Mesh, Bonded Vinyl	\$
2.	SQ. FT.	Nine (9) Gauge 2" Mesh	\$
3.	SQ. FT.	Nine (9) Gauge 1" Mesh	\$
4.	SQ. FT.	Eleven (11) Gauge 2" Mesh	\$
5.	RL	Poultry Netting 6' High	\$
TOTAL SECTION A:			\$

B. PIPE

Item No.	U/M	Description	Total Cost
1.	LIN. FT.	1-5/8" O.D.	\$
2.	LIN. FT.	1-7/8" O.D.	\$
3.	LIN. FT.	2-3/8" O.D.	\$
4.	LIN. FT.	2-7/8" O.D.	\$
5.	LIN. FT.	4" O.D.	\$
6.	LIN. FT.	4-1/2" O.D. Galvanized Pipe	\$
7.	EA	Senior T Posts 8' High	\$
TOTAL SECTION B:			\$

C. FITTINGS

Item No.	U/M	Description	Unit Cost
1.	EA	Tension Bands, 1-5/8" through 4" with Nut and Bolt	\$
2.	EA	Brace Band, 1-5/8" through 6" with Nut and Bolt	\$
3.	EA	Rail Ends, Pressed Steel, 1-5/8" O.D.	\$
4.	EA	Tension Bars	\$
5.	EA	Eye Tops, Pressed Steel, 1-7/8"	\$
6.	EA	Eye Tops, Pressed Steel, 2-3/8"	\$
7.	EA	Caps, Pressed Steel, 1-5/8" through 2-7/8"	\$
8.	EA	3/8" Trussed Rods with Tighteners	\$
9.	EA	Gate Hinges, Industrial 180° Pressed Steel, 1-7/8" x 2-7/8"	\$
10.	EA	Fork Latches, Cast Iron, 1-7/8" x 2-7/8"	\$
11.	EA	Drops Rods, Industrial, Complete with Three (3) Guides, 1-3/8" x 1-5/8" x 1-7/8"	\$
12.	FT	Tension Wire, Spring Coil, Seven (7) Gauge	\$
13.	FT	Tension Wire, Spring Coil, Nine (9) Gauge	\$
TOTAL SECTION C:			\$
TOTAL SECTIONS A-C:			\$

D. OTHER MATERIALS

For parts or materials not specified, Bidder offers _____ % discount off list price.

E. LABOR

Labor Costs Per Hour, Regular Working Hours \$ _____

Labor Costs Per Hour, Overtime \$ _____

Minimum Number of Hours Charged Per Job Site Visit _____ Hours

NOTE: This bid is estimated at \$400,000.00 per year. A unit price is required for all items listed. Failure to do so may result in rejecting your bid submittal as un-responsive.

Labor costs include, but are not limited to an Iron Worker foreman with truck, Labor foreman, Operating Engineer, Laborers, compressor, portable welder, torch, and any and all additional equipment required to perform the work required under this contract including specialized equipment required. For the purpose of this bid, regular working hours are considered to be Monday through Friday, excluding official City holidays, 7:00 a.m. to 5:30 p.m. (but not to exceed eight (8) hours in any one day).

Prices for labor and materials will include all transportation, freight, handling, overhead, insurance, profit, and any and all other related costs.

II. SPECIFIC PROVISIONS

A. AWARD

This bid shall be awarded on an item by item basis, or in any group or combination of items, or as a lot, as may be in the best interest of the City.

B. LICENSES

To perform the work described in these specifications, the Bidder must hold a current CALIFORNIA STATE CONTRACTOR'S LICENSE C-13. Any Contractor holding a different license who feels qualified to bid on this work must notify the City Purchasing Agent in writing at least seven (7) days prior to the bid opening.

After a thorough review of the applicability of the proposed license substitution, the City will inform the Bidder, in writing, of its decision prior to the bid opening. The City's decision will be final.

	License Number	Expiration Date	Name
State of California Contractor's License			

C. SUBMITTALS

1. BID SUBMITTAL

Bids must be returned in a sealed envelope to the Purchasing & Contracting Department, 1200 Third Avenue, Suite 200, San Diego, CA 92101. The bid number and closing date/time must be referenced on the outside of the envelope (lower left corner). Bids must be received by the Purchasing & Contracting Department Reception Desk prior to bid closing at 3:00 p.m. on bid closing date. Faxed bids will not be accepted.

The original and one (1) copy of bid, including any attachments, shall be submitted.

2. SUBMITTALS REQUIRED WITH BID

Failure to provide the required submittals with the bid shall be cause for the bid to be rejected as non-responsive.

- a. Recycled Material Certificate (as specified in Section II, paragraph G).
- b. Bidder's References (as specified in Section II, paragraph H).
- c. Bidder's Statement of Subcontractors (as specified in Section II, paragraph H).
- d. Vendor Registration (use form in Forms Section).

3. SUBMITTALS REQUIRED UPON PROVISIONAL AWARD

Failure to provide the following documentation within the time period specified may be cause for the provisional award to be voided and the bid to be rejected as non-responsive.

- a. Insurance and Bond Requirements as specified in City of San Diego General Provisions, Section II, paragraph F, if not currently on file.
- b. Taxpayer Identification Number (W-9) as specified in City of San Diego General Provisions, Section C, paragraph 15, if not currently on file.
- c. Business Tax Certificate as specified in Section II, paragraph L, if not currently on file.

D. OPTION TO RENEW

The City reserves the option to renew the contract for four (4) additional one (1) year periods under the terms and conditions herein stated beginning on the anniversary of the commencement of service. The renewal is contingent on a mutual agreement between the City and the Contractor with such agreement to be confirmed within sixty (60) days prior to the expiration of the contract period. Either the City or the Contractor may decline to confirm the renewal of the contract for any reason whatsoever, which shall render the renewal option null and void.

The City's initial letter offering the contractor an opportunity to renew the contract does not constitute an award of the option period. Any option acceptance must be confirmed by the City, in writing, before it becomes valid.

1. Labor

The City will not grant an option, if the contractor requests an increase which exceeds the average percentage variant for the previous twelve (12) months in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the San Diego area as published by the Bureau of Labor Statistics, or 5.0%, whichever is less. If a price increase is requested, the Contractor must provide detailed supporting documentation to justify the requested increase. The requested increase will be evaluated by the City, and the City reserves the right to accept or reject such request.

2. Materials

Bidder shall indicate the maximum percentage increase to which the prices in effect at the end of the current contract year would be subject if the renewal options were exercised. _____%

Failure to submit or complete the price increase section above will be construed to mean that prices bid will not be increased during any option period. The City will not grant an option, if the Contractor requests a price increase which exceeds above stated percentage. If a price increase is requested, the Contractor must

provide detailed supporting documentation to justify the requested increase. The requested increase will be evaluated by the City, and the City reserves the right to accept or reject such request.

This section will not be considered in the evaluation for award.

The City may desire to extend a contract on a month-to-month basis upon expiration of the current contract period under the terms and conditions of the current contract unless modified in writing. The renewal is contingent on a mutual agreement between the City and the Contractor with such agreement to be confirmed in writing prior to the expiration of the contract period.

E. PRICE ADJUSTMENT CLAUSE FOR OPTION RENEWAL

In the event the Contractor does not request a price increase at the time of the contract renewal, and the Manufacturer subsequently announces a general increase in the price of their products, the Contractor may request an increase at that time. The Contractor must provide detailed supporting documentation from the Manufacturer to support the requested increase. The requested increase shall not exceed the percentage increase indicated in the "Option to Renew" clause.

F. INSURANCE REQUIREMENTS

Insurance. The winning Bidder/Proposer shall not begin any work under the Contract resulting from this solicitation until it has: (a) obtained, and upon the City's request provided to the City, insurance certificates reflecting evidence of all insurance required in below; however, the City reserves the right to request, and the Consultant shall submit, copies of any policy upon reasonable request by the City; (b) obtained City approval of each insurance company or companies; and (c) confirmed that all policies contain the specific provisions required below. Bidder/Proposer's liabilities, including but not limited to Bidder/Proposer's indemnity obligations, under the Contract resulting from this solicitation, shall not be deemed limited in any way to the insurance coverage required herein. Maintenance of specified insurance coverage is a material element of the Contract resulting from this solicitation and Bidder/Proposer's failure to maintain or renew coverage or to provide evidence of renewal during the term of the Contract resulting from this solicitation may be treated as a material breach of contract by the City. The Bidder/Proposer shall not modify any policy or endorsement thereto which increases the City's exposure to loss for the duration of the Contract resulting from this solicitation.

Deductibles. All deductibles on any policy shall be the responsibility of the Bidder/Proposer and shall be disclosed to the City at the time the evidence of insurance is provided.

Acceptability of Insurers. Except for the State Compensation Insurance Fund, all insurance required by the Contract resulting from this solicitation or in the Special General Conditions shall only be carried by insurance companies with a rating of at least "A-, VI" by A.M. Best Company, that are authorized by the California Insurance

Commissioner to do business in the State of California, and that have been approved by the City.

The City will accept insurance provided by non-admitted, "surplus lines" carriers only if the carrier is authorized to do business in the State of California and is included on the List of Eligible Surplus Lines Insurers (LESLI list). All policies of insurance carried by non-admitted carriers are subject to all of the requirements for policies of insurance provided by admitted carriers described herein.

Reservation of Rights. The City reserves the right, from time to time, to review the Bidder/Proposer's insurance coverage, limits, deductible and self-insured retentions to determine if they are acceptable to the City. The City will reimburse the Bidder/Proposer for the cost of the additional premium for any coverage requested by the City in excess of that required by the Contract resulting from this solicitation without overhead, profit, or any other markup.

Additional Insurance. The Bidder/Proposer may obtain additional insurance not required by the Contract resulting from this solicitation.

Excess Insurance. All policies providing excess coverage to the City shall follow the form of the primary policy or policies including but not limited to all endorsements.

Types of Insurance. At all times during the term of the Contract resulting from this solicitation, the Bidder/Proposer shall maintain insurance coverage as follows:

1. **Commercial General Liability.** Commercial General Liability (CGL) Insurance written on an ISO Occurrence form CG 00 01 07 98 or an equivalent form providing coverage at least as broad which shall cover liability arising from any and all personal injury or property damage in the amount of \$1,000,000.00 (one million) per occurrence and subject to an annual aggregate of \$2,000,000.00 (two million). There shall be no endorsement or modification of the CGL limiting the scope of coverage for either insured vs. insured claims or contractual liability. All defense costs shall be outside the limits of the policy.

Required Endorsements. The following endorsements to the policies of insurance are required to be provided to the City before any work is initiated under the Contract resulting from this solicitation.

Commercial General Liability Insurance Endorsements

ADDITIONAL INSURED. To the fullest extent allowed by law including but not limited to California Insurance Code Section 11580.04, the policy or policies must be endorsed to include as an Insured the City of San Diego and its respective elected officials, officers, employees, agents and representatives with respect to liability arising out of (a) ongoing operations performed by you or on your behalf, (b) your products, (c) your work, including but not limited to your completed

operations performed by you or on your behalf, or (d) premises owned, leased, controlled or used by you.

PRIMARY AND NON-CONTRIBUTORY COVERAGE. The policy or policies must be endorsed to provide that the insurance afforded by the Commercial General Liability policy or policies is primary to any insurance or self-insurance of the City of San Diego and its elected officials, officers, employees, agents and representatives as respects operations of the Named Insured. Any insurance maintained by the City of San Diego and its elected officials, officers, employees, agents and representatives shall be in excess of Bidder/Proposer's insurance and shall not contribute to it.

SEVERABILITY OF INTEREST. The policy or policies must be endorsed to provide that the Bidder/Proposer's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability and shall provide cross-liability coverage.

2. **Commercial Automobile Liability.** For all of the Bidder/Proposer's automobiles including owned, hired and non-owned automobiles, the Bidder/Proposer shall keep in full force and effect, automobile insurance written on an ISO form CA 00 01 12 90 or a later version of this form or an equivalent form providing coverage at least as broad for bodily injury and property damage for a combined single limit of \$1,000,000.00 (one million) per occurrence. Insurance certificate shall reflect coverage for any automobile (any auto).

Required Endorsements. The following endorsements to the policies of insurance are required to be provided to the City before any work is initiated under the Contract resulting from this solicitation.

Automobile Liability Insurance Endorsements

ADDITIONAL INSURED. To the fullest extent allowed by law including but not limited to California Insurance Code Section 11580.04, the policy or policies must be endorsed to include as an Insured the City of San Diego and its respective elected officials, officers, employees, agents and representatives with respect to liability arising out of automobile owned, leased, hired or borrowed by or on behalf of the Bidder/Proposer.

SEVERABILITY OF INTEREST. The policy or policies must be endorsed to provide that Bidder/Proposer's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability and shall provide cross-liability coverage.

3. **Workers' Compensation.** For all of the Bidder/Proposer's employees who are subject to the Contract resulting from this solicitation and to the extent required by the applicable state or federal law, the Bidder/Proposer shall keep in full force and effect, a Workers' Compensation policy. That policy shall provide a minimum of \$1,000,000.00 (one million) of employers' liability coverage, and the

Bidder/Proposer shall provide an endorsement that the insurer waives the right of subrogation against the City and its respective elected officials, officers, employees, agents and representatives.

Required Endorsements. The following endorsements to the policies of insurance are required to be provided to the City before any work is initiated under the Contract resulting from this solicitation.

Worker's Compensation and Employer's Liability Insurance Endorsements

WAIVER OF SUBROGATION. The Worker's Compensation policy or policies must be endorsed to provide that the insurer will waive all rights of subrogation against the City and its respective elected officials, officers, employees, agents and representatives for losses paid under the terms of this policy or these policies which arise from work performed by the Named Insured for the City.

G. RECYCLED MATERIAL CONTENT

City Council Policy No. 100-14 allows for a \$5,000.00 price preference per contract for products which are made partially or fully from recycled material(s). This preference will be applied during the bid evaluation for each contract. Please submit proof, such as a Recycled Material Certificate, Material Safety Data Sheet, or other with your bid.

Please specify the recycled material and the percentage of recycled material used (if any) in the product bid:

Type of recycled material: _____

Percent of recycled material used: _____

H. REFERENCES/QUALIFICATIONS

Bidders are required to demonstrate successful performance for work of similar size and scope as specified in this contract during the past three (3) years. Bidders must also demonstrate that they are properly equipped to perform the work as specified in this contract.

To enable the City to evaluate the responsibility, experience, skill, and business standing of the Bidder, the following documents must be included with the bid submittal:

1. Bidder's References (use form on in Forms Section).
2. Bidder's Statement of Subcontractors (use form Forms Section).

I. GENERAL PROVISIONS

Except as otherwise specified herein, the City of San Diego General Provisions, dated January 3, 2005, (on file in the Office of the Purchasing Agent) are incorporated as part of this bid and any resulting contract by reference. The General Provisions are available online at www.sandiego.gov/purchasing or via request from the Purchasing & Contracting Department by calling (619) 236-6000.

By signing and/or authorizing the bid submittal, the Bidder/Proposer acknowledges that they have read and understood the meaning, intent and requirements of said General Provisions; and acknowledge said General Provisions are included as a part of this bid.

J. SMALL EMERGING LOCAL BUSINESS PROGRAM

Prime vendors/contractors/consultants are encouraged to take positive steps to diversify and expand their Small Local Business Enterprises (SLBE)/ Emerging Local Business Enterprises (ELBE) solicitation base and to offer contracting opportunities to all eligible small emerging local businesses. To support its Equal Opportunity Contracting commitment, the City has established participation level(s) as defined in the following website, <http://www.sandiego.gov/eoc/boc/slbe.shtml>.

1. All professional services (non-Architectural/Engineering) contracts valued over \$50,000 or more have a voluntary SLBE/ELBE goal of 20%. Details can be found in the website above.
2. For all goods and services contracts valued over \$50,000, the City shall apply a 2% bid discount for either: 1) SLBE/ELBE prime contractors or 2) Prime contractors meeting the 20% voluntary SLBE/ELBE goal. The discount will not apply if the award to the discounted bidder would result in a total contract cost of \$10,000 in excess of the low, non-discounted bidder. Details can be found in the website above.

K. EQUAL BENEFITS

Effective January 1, 2011, any contract awarded from this solicitation is subject to the City of San Diego's Equal Benefits Ordinance [EBO], Chapter 2, Article 2, Division 43 of the San Diego Municipal Code [SDMC].

In accordance with the EBO, contractors must certify they will provide and maintain equal benefits as defined in SDMC §22.4302 for the duration of the contract [SDMC §22.4304(f)]. Failure to maintain equal benefits is a material breach of the contract [SDMC §22.4304(e)]. Contractors must notify employees of their equal benefits policy at the time of hire and during open enrollment periods and must post a copy of the following statement in an area frequented by employees:

During the performance of a contract with the City of San Diego, this employer will provide equal benefits to its employees with spouses and its employees with domestic partners.

Contractors also must give the City access to documents and records sufficient for the City to verify the contractors are providing equal benefits and otherwise complying with EBO requirements.

Full text of the EBO and the Rules Implementing the Equal Benefits Ordinance are posted on the City's website at www.sandiego.gov/purchasing/ or can be requested from the Equal Benefits Program at (619) 533-3948.

L. BUSINESS TAX CERTIFICATE

Any company doing business with the City of San Diego is required to comply with Section 31.0301 of the San Diego Municipal Code regarding Business Tax. For more information please visit the City of San Diego website at www.sandiego.gov/treasurer/ or call (619) 615-1500.

The City requires that each vendor to provide a copy of their Business Tax Certificate, or a copy of their application receipt. Failure to provide the required documents within ten (10) business days of the City's request may result in a Bid being declared non-responsive and rejected.

M. LIVING WAGE

Any contract awarded from this solicitation is subject to the City of San Diego's Living Wage Ordinance [LWO], Chapter 2, Article 2, Division 42 of the San Diego Municipal Code [SDMC]. Provisions of the LWO include requirements for contractors and subcontractors to pay specified rates and provide compensated and uncompensated days off for covered employees. Full text of the LWO and Rules Implementing the Living Wage Ordinance is posted on the City's website at www.sandiego.gov/purchasing/ or can be requested from the Living Wage Program at (619) 236-6682.

LWO wage and health benefit rates are adjusted annually in accordance with SDMC §22.4220(b) to reflect the Consumer Price Index. Any contract awarded from this solicitation must include this upward adjustment of pay rates to covered employees on July 1 of each year.

N. CONTRACTOR STANDARDS

This bid is subject to the Contractor Standards clause of the Municipal Code, Chapter 2, Article 2, Division 32 adopted by Ordinance No. O-19383. All Bidders are required to complete the Contractor Standards Pledge of Compliance included in this Request for Bid (use form in Forms Section). The Contractor Standards are available online at www.sandiego.gov/purchasing/vendor/index.shtml or by request from the Purchasing & Contracting Department by calling (619) 236-6000.

III. SPECIFICATIONS

A. WORK

All work shall comply with the most current "Green Book" Standard Specifications for Public Works Construction, and any supplements.

B. RESPONSE TIME

Telephone call outs by City personnel must be responded to within three (3) working hours. Work must be started within twenty-four (24) hours of request by City, unless City personnel specify a date and time on which work is to commence.

Exception: For work which requires USA Dig Alert notification to mark utilities and underground lines, work shall be started within seventy-two to ninety-six (72-96) hours (not including weekends/holidays).

BIDDER'S REFERENCES

The Bidder is **required** to provide a minimum of three (3) references where work of a similar size and nature was performed within the past three (3) years. This will enable the City of San Diego to judge the responsibility, experience, skill, and business standing of the Bidder.

REFERENCES

Company Name: _____ Contact Name: _____

Address: _____ Phone Number: _____

_____ Fax Number: _____

Dollar Value of Contract: \$ _____ Contract Dates: _____

Requirements of Contract: _____

Company Name: _____ Contact Name: _____

Address: _____ Phone Number: _____

_____ Fax Number: _____

Dollar Value of Contract: \$ _____ Contract Dates: _____

Requirements of Contract: _____

Company Name: _____ Contact Name: _____

Address: _____ Phone Number: _____

_____ Fax Number: _____

Dollar Value of Contract: \$ _____ Contract Dates: _____

Requirements of Contract: _____

BIDDER'S STATEMENT OF SUBCONTRACTORS

The Bidder is **required** to state below all subcontractors to be used in the performance of the proposed contract, and what portion of work will be assigned to each Subcontractor. Failure to provide details of Subcontractors may be grounds for rejection of bid. NOTE: Add additional pages if necessary.

Company Name: _____ Contact Name: _____

Address: _____ Phone Number: _____

_____ Fax Number: _____

Dollar amount of sub-contract: \$ _____ Contract Dates: _____

Contractor's License #: _____

Requirements of contract: _____

What portion of work will be assigned to this subcontractor: _____

Company Name: _____ Contact Name: _____

Address: _____ Phone Number: _____

_____ Fax Number: _____

Dollar amount of sub-contract: \$ _____ Contract Dates: _____

Contractor's License #: _____

Requirements of contract: _____

What portion of work will be assigned to this subcontractor: _____

Company Name: _____ Contact Name: _____

Address: _____ Phone Number: _____

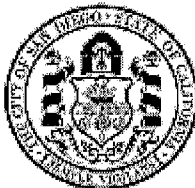
_____ Fax Number: _____

Dollar amount of sub-contract: \$ _____ Contract Dates: _____

Contractor's License #: _____

Requirements of contract: _____

What portion of work will be assigned to this subcontractor: _____



**City of San Diego
Purchasing & Contracting Department
Contractor/Vendor Registration Form**

All prospective bidders, as well as existing contractors and vendors, are required to complete this form.

Vendor ID: _____

[ID Number will be provided by City]

Firm Info:

Firm Name: _____
(as reported on W9)

Firm Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Taxpayer ID: _____ Business License: _____

Website: _____

Contact Info:

Contact Name: _____

Title: _____

Email: _____

Phone: _____ Cell: _____

☐ **Alternate Address (if different from above) to Receive Renditee:**

Mailing Address: _____

City: _____ State: _____ Zip: _____

☐ **Alternate Address (if different from above) to Receive Bid/Contract Opportunities:**

Mailing Address: _____

City: _____ State: _____ Zip: _____

Contractor Licenses (if applicable)

License Number: _____ License Type: _____

License Number: _____ License Type: _____

License Number: _____ License Type: _____

Contractor/Vendor Registration Form – Page 2

Firm Name:
(as reported on W9)

Product/Services Information:

NIGP Codes:

*find list of available NIGP Codes at <http://www.sandiego.gov/purchasing> OR request hard copy from Purchasing & Contracting

The City requires this information for statistical purposes only.

Primary Owner of the Firm* (51% ownership or more)	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Male <input type="checkbox"/> Female </div> <div style="width: 45%;"> or <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Limited Liability Corporation <input type="checkbox"/> Joint Venture <input type="checkbox"/> Non-Profit <input type="checkbox"/> Governmental/Municipality/Regulatory Agency <input type="checkbox"/> Utility </div> </div>
*Required	

Ethnicity:

Ethnicity:

* select one from the following List of Ethnicities:

AFRICAN AMERICAN
ASIAN AMERICAN
CAUCASIAN AMERICAN
HISPANIC AMERICAN
NATIVE AMERICAN
PACIFIC ISLANDER AMERICAN

Ownership Classification

Classification:

*

* select from the following List of Ownership Classification Codes (select all that apply):

WBE	(Woman Owned Business Enterprise)
OB	(Other Business Enterprise)
DBE	(Disadvantaged Business Enterprise)
DVBE	(Disabled Veteran Business Enterprise)
SLBE	(Small Local Business Enterprise)
8(a)	(Small Business Administration 8(a) Enterprise)
SDB	(Small Disadvantaged Business Enterprise)
LBE	(Local Business Enterprise)
MLBE	(Micro Local Business Enterprise)
SB	(Small Business Enterprise)
MBE	(Minority Business Enterprise)
EBE	(Emerging Business Enterprise)
ELBE	(Emerging Local Business Enterprise)

Certified by an Agency? ☐ No ☐ Yes (enter Certification Number and Certifying Agency below)

Certification #: Expiration Date:

Agency:

Certification #: Expiration Date:

Agency:

Information regarding a vendor's racial or gender ownership status will not be used as a factor in the City's selection process for any contract.

Please mail this form to: Purchasing & Contracting Department
1200 Third Avenue, Suite 200
San Diego, CA 92101

or fax to: 619/236-3904

City of San Diego Purchasing & Contracting Department
CONTRACTOR STANDARDS
Pledge of Compliance

Effective December 24, 2008, the Council of the City of San Diego adopted Ordinance No. O-19808 to extend the Contractor Standards Ordinance to all contracts greater than \$50,000. The intent of the Contractor Standards clause of San Diego Municipal Code §22.3224 is to ensure the City of San Diego conducts business with firms that have the necessary quality, fitness and capacity to perform the work set forth in the contract.

To assist the Purchasing Agent in making this determination and to fulfill the requirements of §22.3224(d), each bidder/proposer must complete and submit this *Pledge of Compliance* with the bid/proposal. If a non-competitive process is used to procure the contract, the proposed contractor must submit this completed *Pledge of Compliance* prior to execution of the contract. A submitted *Pledge of Compliance* is a public record and information contained within will be available for public review for at least ten (10) calendar days, except to the extent that such information is exempt from disclosure pursuant to applicable law.

All responses must be typewritten or printed in ink. If an explanation is requested or additional space is required, respondents must use the *Pledge of Compliance Attachment "A"* and sign each page. The signatory guarantees the truth and accuracy of all responses and statements. Failure to submit this completed *Pledge of Compliance* may make the bid/proposal non-responsive and disqualified from the bidding process. If a change occurs which would modify any response, Contractor must provide the Purchasing Agent an updated response within thirty (30) calendar days.

A. PROJECT TITLE:

B. BIDDER/CONTRACTOR INFORMATION:

Legal Name		DBA	
Street Address	City	State	Zip
Contact Person, Title	Phone	Fax	

C. OWNERSHIP AND NAME CHANGES:

1. In the past five (5) years, has your firm changed its name?
☐ **Yes** ☐ **No**

If **Yes**, use *Pledge of Compliance Attachment "A"* to list all prior legal and DBA names, addresses and dates when used. Explain the specific reasons for each name change.

2. In the past five (5) years, has a firm owner, partner or officer operated a similar business?
☐ **Yes** ☐ **No**

If **Yes**, use *Pledge of Compliance Attachment "A"* to list names and addresses of all businesses and the person who operated the business. Include information about a similar business only if an owner, partner or officer of your firm holds or has held a similar position in another firm.

D. BUSINESS ORGANIZATION/STRUCTURE: Indicate the organizational structure of your firm. Check one only on this page. Use *Pledge of Compliance Attachment "A"* if more space is required.

☐ **Corporation** Date incorporated: ____/____/____ State of incorporation: _____

List corporation's current officers: President: _____
Vice Pres: _____
Secretary: _____
Treasurer: _____

Is your firm a publicly traded corporation? ☐ **Yes** ☐ **No**

If **Yes**, name those who own five percent (5%) or more of the corporation's stocks:

☐ **Limited Liability Company** Date formed: ____/____/____ State of formation: _____

List names of members who own five percent (5%) or more of the company:

☐ **Partnership** Date formed: ____/____/____ State of formation: _____

List names of all firm partners:

☐ **Sole Proprietorship** Date started: ____/____/____

List all firms you have been an owner, partner or officer with during the past five (5) years. Do not include ownership of stock in a publicly traded company:

☐ **Joint Venture** Date formed: ____/____/____

List each firm in the joint venture and its percentage of ownership:

Note: Each member of a Joint Venture must complete a separate *Contractor Standards Pledge of Compliance* for a Joint Venture's submission to be considered responsive.

E. FINANCIAL RESOURCES AND RESPONSIBILITY:

1. Is your firm in preparation for, in the process of, or in negotiations toward being sold?

☐ Yes ☐ No

If **Yes**, use *Pledge of Compliance Attachment "A"* to explain specific circumstances, including name of the buyer and principal contact information.

2. In the past five (5) years, has your firm been denied bonding?

☐ Yes ☐ No

If **Yes**, use *Pledge of Compliance Attachment "A"* to explain specific circumstances; include bonding company name.

3. In the past five (5) years, has a bonding company made any payments to satisfy claims made against a bond issued on your firm's behalf or a firm where you were the principal?

☐ Yes ☐ No

If **Yes**, use *Pledge of Compliance Attachment "A"* to explain specific circumstances.

F. PERFORMANCE HISTORY:

1. In the past five (5) years, has your firm been found civilly liable, either in a court of law or pursuant to the terms of a settlement agreement, for defaulting or breaching a contract with a government agency?

☐ Yes ☐ No

If **Yes**, use *Pledge of Compliance Attachment "A"* to explain specific circumstances.

2. In the past five (5) years, has a government agency terminated your firm's contract prior to completion?

☐ Yes ☐ No

If **Yes**, use *Pledge of Compliance Attachment "A"* to explain specific circumstances and provide principal contact information.

G. COMPLIANCE:

1. In the past five (5) years, has your firm or any firm owner, partner, officer, executives or management been criminally penalized or found civilly liable, either in a court of law or pursuant to the terms of a settlement agreement for violating any federal, state or local law in performance of a contract, including but not limited to laws regarding health and safety, labor and employment, wage and hours, and licensing laws which affect employees?

☐ Yes ☐ No

If **Yes**, use *Pledge of Compliance Attachment "A"* to explain specific circumstances surrounding each instance; include name of entity involved, specific infraction(s) or violation(s), dates of instances, and outcome with current status.

2. In the past five (5) years, has your firm been debarred or determined to be non-responsible by a government agency?

☐ Yes ☐ No

If **Yes**, use *Pledge of Compliance Attachment "A"* to explain specific circumstances of each instance; include name of entity involved, specific infraction, dates, and outcome.

H. BUSINESS INTEGRITY:

1. In the past five (5) years, has your firm been convicted of or found liable in a civil suit for making a false claim or material misrepresentation to a private or governmental entity?

☐ Yes ☐ No

If **Yes**, use *Pledge of Compliance Attachment "A"* to explain specific circumstances of each instance; include the entity involved, specific infraction(s) or violation(s), dates, outcome and current status.

2. In the past five (5) years, has your firm or any of its executives, management personnel, or owners been convicted of a crime, including misdemeanors, or been found liable in a civil suit involving the bidding, awarding, or performance of a government contract?

☐ Yes ☐ No

If **Yes**, use *Pledge of Compliance Attachment "A"* to explain specific circumstances of each instance; include the entity involved, specific infraction(s), dates, outcome and current status.

I. TYPE OF SUBMISSION: This document is submitted as:

- ☐ Initial submission of *Contractor Standards Pledge of Compliance*.
☐ Update of prior *Contractor Standards Pledge of Compliance* dated ____/____/____.

Complete all questions and sign below. Each *Pledge of Compliance Attachment "A"* page must be signed.

Under penalty of perjury under the laws of the State of California, I certify I have read and understand the questions contained in this *Pledge of Compliance* and that I am responsible for completeness and accuracy of responses and all information provided is true to the best of my knowledge and belief. I further certify my agreement to the following provisions of San Diego Municipal Code §22.3224:

- (a) To comply with all applicable local, State and Federal laws, including health and safety, labor and employment, and licensing laws that affect the employees, worksite or performance of the contract.
- (b) To notify the Purchasing Agent within fifteen (15) calendar days upon receiving notification that a government agency has begun an investigation of the Contractor that may result in a finding that the Contractor is or was not in compliance with laws stated in paragraph (a).
- (c) To notify the Purchasing Agent within fifteen (15) calendar days when there has been a finding by a government agency or court of competent jurisdiction of a violation by the Contractor of laws stated in paragraph (a).
- (d) To provide the Purchasing Agent updated responses to the *Contractor Standards Pledge of Compliance* within thirty (30) calendar days if a change occurs which would modify any response.
- (e) To notify the Purchasing Agent within fifteen (15) days of becoming aware of an investigation or finding by a government agency or court of competent jurisdiction of a violation by a subcontractor of laws stated in paragraph (a).
- (f) To cooperate fully with the Purchasing Agent and the City during any investigation and to respond to a request for information within ten (10) working days from the request date.

Failure to sign and submit this form with the bid/proposal shall make the bid/proposal non-responsive.

_____ Print Name, Title	_____ Signature	_____ Date
----------------------------	--------------------	---------------

City of San Diego Purchasing & Contracting Department
CONTRACTOR STANDARDS
Pledge of Compliance Attachment "A"

Provide additional information in space below. Use additional *Pledge of Compliance Attachment "A"* pages as needed; sign each page. Print in ink or type responses and indicate question being answered. Information provided will be available for public review, except if exempt from disclosure pursuant to applicable law.

Under penalty of perjury under the laws of the State of California, I certify I have read and understand the questions contained in this *Contractor Standards Pledge of Compliance* and that I am responsible for completeness and accuracy of responses on this *Pledge of Compliance Attachment "A"* page and all information provided is true to the best of my knowledge.

Print Name, Title

Signature
Page 24 of 24

Date

CITY OF SAN DIEGO

PURCHASING & CONTRACTING DEPARTMENT

1200 Third Avenue, Suite 200

San Diego, CA 92101-4195

Fax: (619) 236-5904

ADDENDUM A

Bid No. 10013916-11-P

Bid Closing Date: January 18, 2011
@ 3:00 p.m.

Bids for furnishing the City of San Diego with **Chain Link Fence, Installations, Repairs, and Parts.**

The following changes to the specifications are hereby made effective as though they were originally shown and/or written:

1. Delete the original pricing pages 3-5 and replace with the attached Addendum A pages 3-5. (**NOTE:** Section I, paragraphs A-E have been changed.)
2. Add Addendum A, page 24a. (**NOTE:** Form - Equal Benefits Ordinance Certificate of Compliance has been added.)

CITY OF SAN DIEGO PURCHASING & CONTRACTING DEPARTMENT



Patrick Kelleher
Principal Procurement Specialist
(619) 236-6214

January 4, 2011

PK/bl9

I. PRICING PAGE

Item No.	Est. Qty.	U/M	Description	Unit Cost	Extension
1.	1	EA	8" double wheel	\$	\$
2.	12	FT	Angle iron track 1" x 1"	\$	\$
3.	44	EA	Brace bands 1 5/8" through 6" w nut & bolt	\$	\$
4.	34	EA	Cement post footings	\$	\$
5.	50	FT	Chain link 3 1/2' high 9 ga green vinyl	\$	\$
6.	50	FT	Chain link 4' high 9 ga black vinyl	\$	\$
7.	10	FT	Chain link 5' high 9 ga green vinyl	\$	\$
8.	156	FT	Chain link 6' high 11 ga	\$	\$
9.	10	FT	Chain link 8' high 9 ga	\$	\$
10.	5	FT	Chain link 8' high 9 ga black vinyl	\$	\$
11.	2	EA	Drop rod locking bar 1 3/8"	\$	\$
12.	20	EA	Eye tops 1 7/8" x 1 5/8"	\$	\$
13.	1,200	EA	Fence ties	\$	\$
14.	600	EA	Flat washers	\$	\$
15.	3	EA	Gate 10' w x 6' h	\$	\$
16.	3	EA	Gate fork latch	\$	\$
17.	12	EA	Gate hinges	\$	\$
18.	600	EA	Hammer nails 1/4"	\$	\$
19.	10	LBS	Hog rings 9 gauge	\$	\$
20.	160	EA	Nails 1/2" x 12"	\$	\$

Item No.	Est. Qty.	U/M	Description	Unit Cost	Extension
21.	1	EA	Panel w bars 12' x 6'	\$	\$
22.	85	FT	Pipe 1 7/8" O.D.	\$	\$
23.	360	FT	Pipe 2 7/8" O.D.	\$	\$
24.	15	FT	Pipe 3 1/2" O.D.	\$	\$
25.	60	FT	Pipe 4" O.D.	\$	\$
26.	550	FT	Pipe top rail 1/58" O.D.	\$	\$
27.	32	EA	Post caps	\$	\$
28.	5	RL	Poultry Netting 6' High 150' per roll	\$	\$
29.	32	EA	Rail ends 1 5/8" O.D.	\$	\$
30.	50	EA	Tension bands 1 5/8" through 4" w nut & bolt	\$	\$
31.	2	EA	Tension bars 4'	\$	\$
32.	8	EA	Tension bars 6'	\$	\$
33.	18	EA	Top rail sleeves	\$	\$
34.	2	EA	Track wheels	\$	\$
35.	36	EA	U-bolt Sign Brackets 2 7/8"	\$	\$
36.	800	HR	Labor Regular Working Hours	\$	\$
37.	200	HR	Labor Overtime Hours	\$	\$
TOTAL:					\$

A. OTHER MATERIALS

For parts or materials not specified, Bidder offers _____% discount off list price.

B. LABOR

Deleted

Deleted

**Minimum Number of Hours Charged Per Job Site _____ Hours
Visit**

NOTE: This bid is estimated at \$400,000.00 per year. A unit price is required for all items listed. Failure to do so may result in rejecting your bid submittal as un-responsive.

Labor costs include, but are not limited to an Iron Worker foreman with truck, Labor foreman, Operating Engineer, Laborers, compressor, portable welder, torch, and any and all additional equipment required to perform the work required under this contract including specialized equipment required. For the purpose of this bid, regular working hours are considered to be Monday through Friday, excluding official City holidays, 7:00 a.m. to 5:30 p.m. (but not to exceed eight (8) hours in any one day).

Prices for labor and materials will include all transportation, freight, handling, overhead, insurance, profit, and any and all other related costs.

EQUAL BENEFITS ORDINANCE CERTIFICATION OF COMPLIANCE



For additional information, contact:

CITY OF SAN DIEGO

EQUAL BENEFITS PROGRAM

202 C Street, MS 9A, San Diego, CA 92101
Phone (619) 533-3948 Fax (619) 533-3220

COMPANY INFORMATION

Company Name:	Contact Name:
Company Address:	Contact Phone:
	Contact Email:

CONTRACT INFORMATION

Contract Title:	Start Date:
Contract Number (if no number, state location):	End Date:

SUMMARY OF EQUAL BENEFITS ORDINANCE REQUIREMENTS

The Equal Benefits Ordinance [EBO] requires the City to enter into contracts only with contractors who certify they will provide and maintain equal benefits as defined in SDMC §22.4302 for the duration of the contract. To maintain equal benefits a contractor shall:

- Offer equal benefits to employees with spouses and employees with domestic partners in accordance with the EBO.
 - Benefits include health, dental, vision insurance; pension/401(k) plans; bereavement, family, parental leave; discounts, child care; travel/relocation; employee assistance programs; credit union; or any other benefit.
 - If a contractor does not offer a benefit to an employee with a spouse, that same benefit is not required to be offered to an employee with a domestic partner.
- Post notice of firm's equal benefits policy in the workplace and notify employees at time of hire and during open enrollment periods.
- Allow City access to records, when requested, to confirm compliance with EBO requirements.
- Submit *EBO Certification of Compliance*, signed under penalty of perjury, prior to award of contract.

This summary is provided for convenience. Full text of the EBO and Rules Implementing the EBO are available at www.sandiego.gov.

CONTRACTOR EQUAL BENEFITS ORDINANCE CERTIFICATION

Please indicate your firm's compliance status with the EBO by selecting A, B, or C below. The City may request supporting documentation.

- A. ☐ I affirm **compliance** with the EBO because my firm (*contractor must select one reason*):
- ☐ Provides identical benefits to spouses and domestic partners.
 - ☐ Provides no benefits to spouses or domestic partners.
 - ☐ Has no employees.
- B. ☐ I am not now in compliance, but request approval of **provisional compliance** with the EBO (*contractor must select one*):
- ☐ Until my firm completes administrative steps to implement compliance (3 month maximum).
 - ☐ Until effective date of my firm's first open enrollment period (1 year maximum).
 - ☐ Until expiration of current collective bargaining agreement(s) with my firm.
- C. ☐ I request approval to pay affected employees a **cash equivalent** in lieu of equal benefits and verify my firm (*contractor must select all*):
- ☐ Made reasonable efforts to comply, but will not be able to comply with EBO requirements before contract completion.
 - ☐ Will amend policies to extend benefits for which a cash equivalent is not available to domestic partners.
 - ☐ Will notify employees of the availability of a cash equivalent in lieu of equal benefits.

Under penalty of perjury under laws of the State of California, I certify I understand and will comply with requirements of the Equal Benefits Ordinance in the manner affirmed above in accordance with San Diego Municipal Code, Chapter 2, Article 2, Division 43 and the Rules Implementing the Equal Benefits Ordinance.

Name/Title of Signatory

Signature

Date

FOR OFFICIAL CITY USE ONLY

Receipt Date:	EBO Analyst:	<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved – Reason:
---------------	--------------	-----------------------------------	---



THE CITY OF SAN DIEGO

January 24, 2011

Mr. Ronal Shields, Owner
Shields Fence Co.
10040 Median Court
Santee, CA 92071-2039

Dear Mr. Shields:

Subject: RFB No. 10013916-11-P - Chain Link Fence, Installation, Repairs and Parts

Thank you for your quotation submittal of January 18, 2011. We value your time and effort in participating in this process.

This letter is to inform you that the City has completed its review of the subject RFB. The City is recommending award of the subject RFB to South Bay Fence, Inc. the low, responsive, and responsible bidder meeting specifications. Your bid is being rejected as non-responsive as you did not respond on the Pricing Pages from Addendum A. Your failure to include Addendum A in your response meant that the City was unable to evaluate your bid on the same basis as others submitted.

If you have any questions or concerns regarding this award, they must be addressed in writing to Mr. Hildred Pepper, Jr., Purchasing Agent, no later than 5:00 p.m. P.T. on Friday, February 4, 2011.

Thank you for your interest in doing business with the City of San Diego.

Sincerely,

Patrick Kelleher
Principal Procurement Specialist

PK/b19

cc: File



**Purchasing & Contracting Department
Business Office & Support Services**

1200 Third Avenue, Suite 200 • San Diego, CA 92101

Tel (619) 236-6000 Fax (619) 236-5904





THE CITY OF SAN DIEGO

January 24, 2011

Mr. Mark Goldstein, President
Total Fence Solutions, Inc.
7040 Avenida Encinitas, Suite 104-248
Carlsbad, CA 92011-4653

Dear Mr. Goldstein:

Subject: RFB No. 10013916-11-P - Chain Link Fence, Installation, Repairs and Parts

Thank you for your quotation submittal of January 18, 2011. We value your time and effort in participating in this process.

This letter is to inform you that the City has completed its review of the subject RFB. The City is recommending award of the subject RFB to South Bay Fence, Inc. the low, responsive, and responsible bidder meeting specifications.

If you have any questions or concerns regarding this award, they must be addressed in writing to Mr. Hildred Pepper, Jr., Purchasing Agent, no later than 5:00 p.m. P.T. on Friday, February 4, 2011.

Thank you for your interest in doing business with the City of San Diego.

Sincerely,

Patrick Kelleher
Principal Procurement Specialist

PK/bl9

cc: File



**Purchasing & Contracting Department
Business Office & Support Services**

1200 Third Avenue, Suite 200 • San Diego, CA 92101

Tel (619) 236-6000 Fax (619) 236-5904



THE CITY OF SAN DIEGO

January 24, 2010

Mr. Larry Johnston, President
South Bay Fence, Inc.
3084 Main Street
Chula Vista, CA 91911-5704

Dear Mr. Johnston:

Subject: RFB No. 10013916-11-P - Chain Link Fence, Installation, Repairs and Parts

Thank you for your quotation submittal of January 18, 2011. We value your time and effort in participating in this process.

This letter is to inform you that the City has completed its review of the subject RFQ. The City is recommending award of the subject RFQ to your Company, South Bay Fence, Inc., the low, responsive, and responsible bidder meeting specifications.

Please note that Award is contingent upon approval of the provisional award requirements as listed in Section II, paragraph C "Submittals," Item 3 "Submittals Required Upon Provisional Award" of the subject RFB, and other bidders have the opportunity to raise issues against this award recommendation in writing to Mr. Hildred Pepper, Jr., Purchasing Agent, no later than 5:00 p.m. P.T. on Friday, February 4, 2011.

Thank you for your interest in doing business with the City of San Diego. Please do not hesitate to contact me at (619) 236-6214 with any questions you may have.

Sincerely,

Patrick Kelleher
Principal Procurement Specialist

PK/bl9

cc: File



**Purchasing & Contracting Department
Business Office & Support Services**

1200 Third Avenue, Suite 200 • San Diego, CA 92101

Tel (619) 236-6000 Fax (619) 236-5904





THE CITY OF SAN DIEGO

February 8, 2011

Mr. Larry Johnston, President
South Bay Fence Inc
3084 Main Street
Chula Vista, CA 91911

Dear Mr. Johnston:

Subject: Bid No. 10013916-11-P — Chain Link Fence, Installations, Repairs and Parts

Your bid of January 18, 2011 has been accepted by the City of San Diego and the subject contract is being awarded for a period of one (1) year beginning February 15, 2011 through February 14, 2012, with options to renew for four (4) additional one (1) year periods.

Effective with this award, the contract is subject to the City's Equal Benefits Ordinance (EBO) as set forth in Municipal Code, Chapter 2, Article 2, Division 43. Contractors must certify they will provide and maintain equal benefits as outlined in SDMC 22.4302 for the duration of the contract. EBO requirements are posted on the City's website at www.sandiego.gov/purchasing/ or can be requested from the Equal Benefits Program at (619) 533-3948. **Complete "EBO Certification of Compliance" and return via fax to (619) 533-3237 no later than February 18, 2011.**

However, before a contract can be awarded and/or purchase orders issued, the documents requested below must be submitted to the Purchasing & Contracting Department. Please note that the required documents must be prepared in the manner specified and received by the Insurance Coordinator, City of San Diego, Purchasing & Contracting Department, 1200 Third Avenue, Suite 200, San Diego, CA 92101-4195, no later than **February 18, 2011.**

INSURANCE REQUIREMENTS:

Our records reflect the following insurance coverage on file and expiration dates.

1. Commercial General Liability (NOT ON FILE) must be for a minimum of \$1,000,000.00 Each Occurrence. **Renewal Certificate Required.**
2. Automobile Liability insurance coverage (NOT ON FILE) must be for a minimum of \$1,000,000.00 CSL. **Renewal Certificate Required.**



**Purchasing & Contracting Department
Business Office & Support Services**

1200 Third Avenue, Suite 200 • San Diego, CA 92101

Tel (619) 236-6000 Fax (619) 236-5904

Page 2

Bid No. 10013916-11-P

Mr. Johnston

February 8, 2011

3. Workers' Compensation policy is required (NOT ON FILE) and must contain a waiver of subrogation of rights against the City of San Diego. **Renewal Certificate Required.**

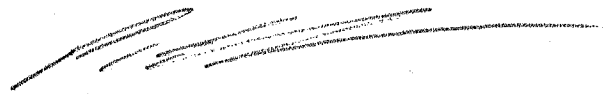
If you have any questions regarding insurance requirements, please call the Insurance Coordinator at (619) 236-6254.

Purchase order(s) will be issued as necessary to cover the City's specific requirements.

If you have any questions, or foresee any problems which may impact the fulfillment of this contract, please call me directly at (619) 236-6214.

Thank you for doing business with the City of San Diego.

Sincerely,



Patrick Kelleher

Principal Procurement Specialist

PK/b19

Enclosure

EQUAL BENEFITS ORDINANCE CERTIFICATION OF COMPLIANCE



For additional information, contact:

CITY OF SAN DIEGO

EQUAL BENEFITS PROGRAM

202 C Street, MS 9A, San Diego, CA 92101
Phone (619) 533-3948 Fax (619) 533-3220

COMPANY INFORMATION

Company Name:

Contact Name:

Company Address:

Contact Phone:

Contact Email:

CONTRACT INFORMATION

Contract Title:

Start Date:

Contract Number (if no number, state location):

End Date:

SUMMARY OF EQUAL BENEFITS ORDINANCE REQUIREMENTS

The Equal Benefits Ordinance [EBO] requires the City to enter into contracts only with contractors who certify they will provide and maintain equal benefits as defined in SDMC §22.4302 for the duration of the contract. To maintain equal benefits a contractor shall:

- Offer equal benefits to employees with spouses and employees with domestic partners in accordance with the EBO.
 - Benefits include health, dental, vision insurance; pension/401(k) plans; bereavement, family, parental leave; discounts, child care; travel/relocation; employee assistance programs; credit union; or any other benefit.
 - If a contractor does not offer a benefit to an employee with a spouse, that same benefit is not required to be offered to an employee with a domestic partner.
- Post notice of firm's equal benefits policy in the workplace and notify employees at time of hire and during open enrollment periods.
- Allow City access to records, when requested, to confirm compliance with EBO requirements.
- Submit *EBO Certification of Compliance*, signed under penalty of perjury, prior to award of contract.

This summary is provided for convenience. Full text of the EBO and Rules Implementing the EBO are available at www.sandiego.gov.

CONTRACTOR EQUAL BENEFITS ORDINANCE CERTIFICATION

Please indicate your firm's compliance status with the EBO by selecting A, B, or C below. The City may request supporting documentation.

A. ☐ I affirm **compliance** with the EBO because my firm (*contractor must select one reason*):

- ☐ Provides identical benefits to spouses and domestic partners.
- ☐ Provides no benefits to spouses or domestic partners.
- ☐ Has no employees.

B. ☐ I am not now in compliance, but request approval of **provisional compliance** with the EBO (*contractor must select one*):

- ☐ Until my firm completes administrative steps to implement compliance (3 month maximum).
- ☐ Until effective date of my firm's first open enrollment period (1 year maximum).
- ☐ Until expiration of current collective bargaining agreement(s) with my firm.

C. ☐ I request approval to pay affected employees a **cash equivalent** in lieu of equal benefits and verify my firm (*contractor must select all*):

- ☐ Made reasonable efforts to comply, but will not be able to comply with EBO requirements before contract completion.
- ☐ Will amend policies to extend benefits for which a cash equivalent is not available to domestic partners.
- ☐ Will notify employees of the availability of a cash equivalent in lieu of equal benefits.

Under penalty of perjury under laws of the State of California, I certify I understand and will comply with requirements of the Equal Benefits Ordinance in the manner affirmed above in accordance with San Diego Municipal Code, Chapter 2, Article 2, Division 43 and the Rules Implementing the Equal Benefits Ordinance.

Name/Title of Signatory

Signature

Date

FOR OFFICIAL CITY USE ONLY

Receipt Date:

EBO Analyst:

☐ Approved

☐ Not Approved – Reason:



CITY OF SAN DIEGO ♦ PURCHASING & CONTRACTING
DEPARTMENT INSURANCE REQUIREMENTS

ANY QUESTIONS PERTAINING TO THIS NOTICE SHOULD BE DIRECTED TO THE INSURANCE COORDINATOR:

PHONE: (619) 236-6254 ♦

FACSIMILE: (619) 533-6115

FORWARD THESE REQUIREMENTS TO YOUR INSURANCE AGENT TO ENSURE ACCURACY ON THE INSURANCE CERTIFICATE

The insurance certificate must be prepared pursuant to the requirements listed below. Failure to comply with these requirements in a timely manner may jeopardize the renewal and/or continuation of this contract.

1. The **FULL** name of the Company(s) affording coverage must be named on the certificate of insurance. Insurance Company(s) selected **MUST** be authorized to do business in the State of California and rated "A-, VI" or better by the A.M. Best Key Rating Guide. A **Service of Suit Clause** must be furnished in the event a Company is a Surplus Lines Company.
2. **Commercial General Liability** insurance should be written on an ISO Occurrence form CG 00 01 07 98 or an equivalent form. There shall be no endorsement or modification of the CGL limiting the scope of coverage for either insured vs. insured claims or contractual liability. (1) The CGL policy shall include wording that the policy is Primary and Non-Contributory.
3. **Commercial Automobile Liability** shall be written on an ISO form CA 00 01 12 90, a later version of this form, or an equivalent form. Insurance certificate shall reflect coverage for any auto.
4. The City of San Diego must be named as **additional insured** on **Commercial General Liability and Automobile Liability** coverage. (A specific City department shall not be named.) The City requires Contractors to submit: (1) an ACORD certificate with Additional Insured Endorsement naming the "City of San Diego, its respective elected officials, officers, employees, agents and representatives" as an additional insured, (2) a separate Additional Insured Endorsement page (CG 2010, CG 2026, or equivalent) also listing the "City of San Diego, its respective elected officials, officers, employees, agents and representatives" as an additional insured. *SEE ATTACHED SAMPLES*
5. The Worker's Compensation policy must be accompanied by an endorsement for the **Waiver of Subrogation of rights** against the "City of San Diego, its respective elected officials, officers, employees, agents and representatives." *SEE ATTACHED SAMPLE*
6. The authorized Insurance Agency Representative's original signature is required.
7. A notation of "**All Operations**" or the **Bid/P.O. Number and/or Job Title** must be included on the certificate (one (1) per certificate). (**Note:** The "All Operations" endorsement covers all current and future operations with the City of San Diego. Minimum coverage must be in accordance with bid or contract specifications)
8. **Certificate holder information must read as follows:**

City of San Diego, Purchasing & Contracting Department
1200 Third Avenue, Suite 200
San Diego, CA 92101-4195

ALL said insurance shall be maintained by the Contractor in full force and effect during the ENTIRE PERIOD OF PERFORMANCE under the agreement. Renewal certificates must be received by the Insurance Coordinator, City of San Diego Purchasing & Contracting Department, 1200 Third Ave, Ste 200, San Diego, CA 92101-4195 prior to the expiration date in order to ensure continuation of contracts. (03/2010-ydk)

**RENEWAL CERTIFICATES MAY BE FAXED TO (619) 533-6115 AND
THE ORIGINAL MAILED TO THE ADDRESS NOTED ABOVE FOR CERTIFICATE HOLDER.**

SAMPLE

Policy Number: CBP8634057

COMMERCIAL GENERAL LIABILITY
CG 20 37 (07 04)

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - OWNERS, LESSEES OR CONTRACTORS COMPLETED OPERATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Additional Insured Person(s) Or Organization(s): City of San Diego, its respective elected officials, officers, employees, agents and representatives	Location And Description Of Completed Operations Specified on Contract
<u>Information required to complete this Schedule if not shown above, will be shown in the Declarations.</u>	

Section II - Who is an Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury" or "property damage" caused, in whole or in part, by "your work" at the location designated and described in the schedule of this endorsement performed for that additional insured and included in the "products-completed operations hazard".

SAMPLE

POLICY NUMBER: BAP6510882

COMMERCIAL AUTO
CA 20 48 02 99

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

DESIGNATED INSURED

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM
GARAGE COVERAGE FORM
MOTOR CARRIER COVERAGE FORM
TRUCKERS COVERAGE FORM

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by this endorsement.

This endorsement identifies person(s) or organization(s) who are "insureds" under the Who Is An Insured Provision of the Coverage Form. This endorsement does not alter coverage provided in the Coverage Form.

This endorsement changes the policy effective on the inception date of the policy unless another date is indicated below.

Endorsement Effective: 04/01/09	Countersigned By: (Authorized Representative)
Named Insured:	

SCHEDULE

Name of Person(s) or Organization(s):

RE: ALL OPERATIONS.

THE CITY OF SAN DIEGO, ITS REPRESENTATIVE ELECTED OFFICIALS, OFFICERS, EMPLOYEES,
AGENTS AND REPRESENTATIVES

As required by contract or agreement

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to the endorsement.)

Each person or organization shown in the Schedule is an "insured" for Liability Coverage, but only to the extent that person or organization qualifies as an "insured" under the Who Is An Insured Provision contained in Section II of the Coverage Form.

SAMPLE

WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule. (This agreement applies only to the extent that you perform work under a written contract that requires you to obtain this agreement from us.)

This agreement shall not operate directly or indirectly to benefit anyone not named in the Schedule.

Not applicable in KY and NJ

Schedule

City of San Diego and its respective elected officials officers,
employees, agents and representatives as required by a written contract
PO D009-820090

This endorsement is executed by the Liberty Insurance Corporation

21814

Premium \$

Effective Date

Expiration Date

For attachment to Policy No. WC7-121-091136-019

Countersigned by _____

Authorized Representative

End. Serial No. 4

WC 00 03 13

Ed. 4/1/1984

Copyright 1983 National Council on Compensation Insurance.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

PRODUCER ABC Producer 1234 Street Any City, Any State 98765	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
	INSURERS AFFORDING COVERAGE	NAIC#
INSURED Any Vendor 6543 Any Street Any City, State 87654	INSURER A: Provide FULL name of Company;	
	INSURER B: Company MUST be rated "A" or	
	INSURER C: better by A.M. Best Key Rating	
	INSURER D: Guide and licensed in the state	
	INSURER E: of California	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> <input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO. JEOT <input type="checkbox"/> LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	DAMAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
	EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

THE CITY OF SAN DIEGO IS NAMED AS AN ADDITIONAL INSURED ON GENERAL LIABILITY AND AUTOMOBILE LIABILITY: Y x N

THE WORKERS COMPENSATION INCLUDES A WAIVER OF SUBROGATION OR RIGHTS AGAINST THE CITY OF SAN DIEGO: Y x

THIS CERTIFICATE APPLIES TO: ALL OPERATIONS: Y (OR BID NO. _____ OR JOB DESCRIPTION _____)

CERTIFICATE HOLDER CITY OF SAN DIEGO PURCHASING & CONTRACTING DEPARTMENT 1200 THIRD AVENUE, SUITE 200 SAN DIEGO, CA 92101-4195	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL endeavor to MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE _____
---	--

City of San Diego
Human Resources Department
Request for Labor Relations Office Approval for Purchase Requisition

Requesting Department:	Park & Recreation – Community Parks I Division
Vendor Name:	South Bay Fence
Purchase Requisition #:	10027655
Department Contact:	Shelly Stowell
Date of Request:	September 25, 2012
Contract Amount:	\$47,992.66

Please submit request to HumanResources@sanidiego.gov or Mail Station 56L

<u>Question</u>	<u>Department Response</u>
What is the contract for?	To provide fence installation and repair services, as needed.
Are City employees currently performing any of the work?	No.
Will any City employees be displaced as a result of this bid?	No.
If this is a renewal of an existing contract, how long have these services been contracted out?	These services have been contracted for more than 10 years.

NOTE: If a public works construction contract and over \$100k, see City Charter Section 94.

HUMAN RESOURCES DEPARTMENT USE ONLY

Based on the Department's representation, this contract is _____
from a labor relations perspective in accordance with the City's Contracting Protocols.



APPROVED

Dina Khouri (Khouri)

Labor Relations Office

10/3/2012

Date

City of San Diego
Human Resources Department
Request for Human Resources Approval for Purchase Requisition

RECEIVED
MAY 23 2013

Requesting Department:	Park and Recreation	BY: _____
Vendor Name:	South Bay Fence Inc – Urban Village	_____
Purchase Requisition #:	PR for FY14	_____
Department Contact:	Adrian Zolla	_____
Date of Request:	_____	_____
Contract Amount:	\$10,000.00	_____

Please submit request to HumanResources@sanidiego.gov or MS 56L

Question	Department Response
What is the contract for?	The vendor will supply labor, materials and equipment needed for small projects and repair damaged items such as: fence, gates, concrete, hinges, etc. including assembly and installation of equipment, at City Heights Urban Village (special fund). Period covered: 07/01/2013 through 06/30/2014
Are City employees currently performing any of the work?	City employees do no current perform this work.
Will any City employees be displaced as a result of this bid?	City employees will not be displaced as a result of this bid.
If this is a renewal of an existing contract, how long have these services been contracted out?	Bid 10013916-11p/contact 4600000535 dated 02/07/2011 - last option date 02/14/2016
Is this a Public Works Contract? (construction, reconstruction or repair of City buildings, street or other facilities)	This is not a Public Works Contract.
Is this a Tenant Improvement?	This is not tenant improvement.
Was another department contacted to determine if they can or do perform this service (i.e. Streets, Facilities, etc.)? If so, please attach communication.	Another City department was not contacted to see if they could provide this service.

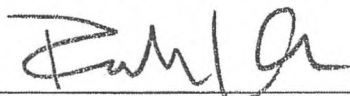
NOTE: If a public works construction contract and over \$100k, see City Charter Section 94.

HUMAN RESOURCES DEPARTMENT USE ONLY

Based on the Department's representation, this contract is from a labor relations perspective.



APPROVED



Human Resources Department Liaison

5/28/13

Date

City of San Diego
Human Resources Department
Request for Human Resources Approval for Purchase Requisition

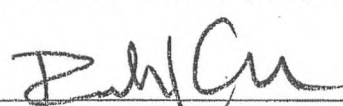
RECEIVED
 MAY 23 2013

Requesting Department: Park and Recreation
 Vendor Name: South Bay Fence Inc – CP II sites
 Purchase Requisition #: PR for FY14
 Department Contact: Adrian Zolla
 Date of Request: _____
 Contract Amount: \$82,000.00

*Please submit request to **HumanResources@sanidiego.gov** or MS 56L*

Question	Department Response
What is the contract for?	The vendor will supply labor, materials and equipment needed for small projects and repair damaged items such as: fence, gates, concrete, hinges, etc. including assembly and installation of equipment, per Bid 10013916-11p/contact 4600000535 for Community Parks II sites. Period covered: 07/01/2013 through 06/30/2014
Are City employees currently performing any of the work?	City employees do not currently perform this work.
Will any City employees be displaced as a result of this bid?	City employees will not be displaced as a result of this bid.
If this is a renewal of an existing contract, how long have these services been contracted out?	Bid 10013916-11p/contact 4600000535 dated 02/07/2011 - last option date 02/14/2016
Is this a Public Works Contract? (construction, reconstruction or repair of City buildings, street or other facilities)	This is not a Public Works Contract.
Is this a Tenant Improvement?	This is not tenant improvement.
Was another department contacted to determine if they can or do perform this service (i.e. Streets, Facilities, etc.)? If so, please attach communication.	Another City department was not contacted to see if they could provide this service.

NOTE: If a public works construction contract and over \$100k, see City Charter Section 94.

HUMAN RESOURCES DEPARTMENT USE ONLY	
Based on the Department's representation, this contract is from a labor relations perspective.	<input checked="checked" type="checkbox"/> APPROVED
 _____ Human Resources Department Liaison	5/28/13 _____ Date

Park and Recreation Department – Open Space Division
Request for the Labor Relations Office Approval for Purchase Requisition

Park or Program:	Open Space Division
Vendor Name:	South Bay Fence
Purchase Requisition #:	100 27886
Contract Manager (Requestor):	Steve Haupt
Date of Request:	6-25-12

<u>Question</u>	<u>Response</u>
What is the contract for?	This contract will provide for as needed fence repair and parts.
What is the dollar amount requested?	\$25,000
Are City employees currently performing any of the work?	No, currently all direct services provided by Open Space are through contract with for-profit and non-profit contractors.
Will any City employees be displaced as a result of this bid?	No, no City employees currently provide these services.
If this is a renewal of an existing contract, how long have these services been contracted out?	<p>The contract has been in place for many years.</p> <p>Open Space has not directly employed City staff for this service for at least 10 years, and probably longer.</p>

NOTE: If a public works construction contract and over \$100k, see City Charter Section 94.

Diab Khouri (Khouri)
☒ APPROVED 7/19/12

(CE)

City of San Diego
Human Resources Department
Request for Human Resources Approval for Purchase Requisition
(revised January 2013)

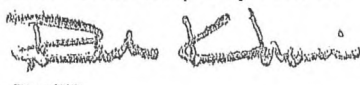
RECEIVED

Requesting Department:	Park & Recreation, Open Space
Vendor Name:	South Bay Fence Inc.
Purchase Requisition #:	10038010
Department Contact:	Steve Harwell
Date of Request:	6/3/13
Contract Amount:	\$5,000 \$10,000

Please submit request to HumanResources@san-diego.gov or MS 56L.

Question	Department Response
What is the contract for?	This contract supplies labor, materials, and equipment needed to install and repair perimeter fencing, repair holes in existing fencing, and replacement of missing posts and hardware for WEST SYCAMORE, a new addition to Mission Trails Regional Park.
Are City employees currently performing any of the work?	No, no city employees have ever performed fence repairs in West Sycamore.
Will any City employees be displaced as a result of this bid?	No
If this is a renewal of an existing contract, how long have these services been contracted out?	Yes, 5+ years
Is this a Public Works Contract? (construction, reconstruction or repair of City buildings, street or other facilities)	No
Is this a Tenant Improvement?	No
Was another department contacted to determine if they can or do perform this service (i.e. Streets, Facilities, etc.)? If so, please attach communication.	No

NOTE: If a public works construction contract and over \$100k, see City Charter Section 94.

HUMAN RESOURCES DEPARTMENT USE ONLY	
Based on the Department's representation, this contract is from a labor relations perspective.	<input type="checkbox"/> APPROVED
 (Khoun)	6/28/13

City of San Diego
Human Resources Department
Request for Human Resources Approval for Purchase Requisition
(revised January 2013)

RECEIVED
JUN 19 2013

Requesting Department:	P&R/Admin Services (M.S. 37C)
Vendor Name:	South Bay Fence Inc
Purchase Requisition #:	10036769
Department Contact:	Rumi Doherty / RETURN TO: Rumi Doherty
Date of Request:	June 11, 2013 for FY 14
Contract Amount:	\$500,000 Dept-wide; \$1,500 Admin Servs.

Please submit request to HumanResources@sanidiego.gov or MS 56L

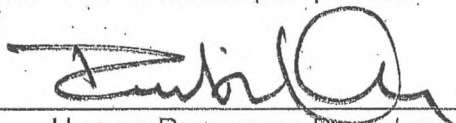
Question	Department Response
What is the contract for?	This contract is the installation of fencing, preventative and emergency fence repair services.
Are City employees currently performing any of the work?	No.
Will any City employees be displaced as a result of this bid?	No.
If this is a renewal of an existing contract, how long have these services been contracted out?	On June 6, 2013, the department requested a sole source agreement for up to 9 months to allow time for staff to initiate and complete a new contract.
Is this a Public Works Contract? (construction, reconstruction or repair of City buildings, street or other facilities)	No.
Is this a Tenant Improvement?	No.
Was another department contacted to determine if they can or do perform this service (i.e. Streets, Facilities, etc.)? If so, please attach communication.	No.

NOTE: If a public works construction contract and over \$100k, see City Charter Section 94.

HUMAN RESOURCES DEPARTMENT USE ONLY

APPROVED

Based on the Department's representation, this contract is _____
from a labor relations perspective.



Human Resources Department Liaison

6/21/13

Date

City of San Diego
Human Resources Department
Request for Human Resources Approval for Purchase Requisition

Requesting Department:	P&R/MADs (M.S. 5D) – Sabre Springs MAD ✓
Vendor Name:	South Bay Fence
Purchase Requisition #:	Req #10037683 / PO #4500044510
Department Contact:	Rob Powell / David Tran (Acct. Clerk)
Date of Request:	05-23-13
Contract Amount:	\$2,000.00 ✓

Please submit request to HumanResources@sanidiego.gov or MS 56L

<u>Question</u>	<u>Department Response</u>
What is the contract for?	This contract provides fence repair for Sabre Springs Maintenance Assessment District (MAD). ✓
Are City employees currently performing any of the work?	No, currently all direct services provided by Maintenance Assessment Districts are through contract with for-profit and non-profit contractors.
Will any City employees be displaced as a result of this bid?	No. No City employees currently provide MAD services. Any normal services provided by existing City employees in the MAD service areas would continue to be rendered.
If this is a renewal of an existing contract, how long have these services been contracted out?	NO, this is not a renewal.
Is this a Public Works Contract? (construction, reconstruction or repair of City buildings, street or other facilities)	NO, this is not a public works contract.
Is this a Tenant Improvement?	NO
Was another department contacted to determine if they can or do perform this service (i.e. Streets, Facilities, etc.)? If so, please attach communication.	NO

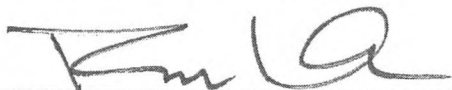
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HUMAN RESOURCES DEPARTMENT USE ONLY

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APPROVED



Human Resources Department Liaison

5/31/13

Date

BUDGET

City of San Diego
Human Resources Department
Request for Human Resources Approval for Purchase Requisition

Requesting Department: Parks & Recreation - Developed Regional Parks
Vendor Name: South Bay Fence Inc.
Purchase Requisition #: ~~10041920~~ 10042590
Department Contact: Larry McElroy ; Marilon Fedalizo
Date of Request: 8/21/2013
Contract Amount: \$ 50,000.00

Please submit request to HumanResources@sanidiego.gov or MS 56L

Question	Department Response
What is the contract for?	INSTALLING AND REPAIRING FENCES & GATES.
Are City employees currently performing any of the work?	No
Will any City employees be displaced as a result of this bid?	No
If this is a renewal of an existing contract, how long have these services been contracted out?	YES, SEVERAL YEARS
Is this a Public Works Contract? (construction, reconstruction or repair of City buildings, street or other facilities)	No
Is this a Tenant Improvement?	No
Was another department contacted to determine if they can or do perform this service (i.e. Streets, Facilities, etc.)? If so, please attach communication.	No

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HUMAN RESOURCES DEPARTMENT USE ONLY



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from a labor relations perspective.

Human Resources Department Liaison

8/27/13

Date

City of San Diego
Human Resources Department
Request for Human Resources Approval for Purchase Requisition

RECEIVED
MAR 04 2013

Requesting Department: Environmental Services Dept./Collection Svcs.
Vendor Name: South Bay Fence
Purchase Requisition #: 10034937
Department Contact: Chris Sandoval (858) 526-2301
Eleida Fellx-Yackel (P&C) (619) 533-4507
Date of Request: 3/4/2013
Contract Amount: \$5878.00

Please submit request to HumanResources@saniego.gov or MS 56L

Question	Department Response
What is the contract for?	Furnish & Install two (2) Slide Gate Operators at 8353 Miramar Pl., Repair Gate Track.
Are City employees currently performing any of the work?	No
Will any City employees be displaced as a result of this bid?	No
If this is a renewal of an existing contract, how long have these services been contracted out?	Not a renewal
Is this a Public Works Contract? (construction, reconstruction or repair of City buildings, street or other facilities)	No; contract if for the like replacement of two (2) old gate controller that operate the vehicle entry gate to our Miramar Place facility.
Is this a Tenant Improvement?	No
Was another department contacted to determine if they can or do perform this service (i.e. Streets, Facilities, etc.)? If so, please attach communication.	No

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HUMAN RESOURCES DEPARTMENT USE ONLY

☒ **APPROVED**

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Human Resources Department Liaison

3/4/13

Date

RECEIVED
HUMAN RESOURCES DEPARTMENT

City of San Diego
Human Resources Department
Request for Human Resources Approval for Purchase Requisition

Requesting Department:	Fire-Rescue/Lifeguard Services
Vendor Name:	South Bay Fence
Purchase Requisition #:	10038864
Department Contact:	Regina Chartier
Date of Request:	08/20/2013
Contract Amount:	\$5000.00

Please submit request to HumanResources@sandiego.gov or MS 56L

Question	Department Response
What is the contract for?	Improve fencing around the Boating Safety Unit at 2581 Quivira Court, San Diego, Ca 92109
Are City employees currently performing any of the work?	<u>No</u>
Will any City employees be displaced as a result of this bid?	<u>No</u>
If this is a renewal of an existing contract, how long have these services been contracted out?	<u>Contract #4600000535</u>
Is this a Public Works Contract? (construction, reconstruction or repair of City buildings, street or other facilities)	<u>Unknown</u>
Is this a Tenant Improvement?	<u>Yes</u>
Was another department contacted to determine if they can or do perform this service (i.e. Streets, Facilities, etc.)? If so, please attach communication.	<u>No</u>

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HUMAN RESOURCES DEPARTMENT USE ONLY



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Human Resources Department Liaison

8/27/13

Date

City of San Diego
Human Resources Department
Request for Human Resources Approval for Purchase Requisition

RECEIVED
JUL 11 2013

Requesting Department:	SDFD/LOGISTICS
Vendor Name:	S. Bay Fence
Purchase Requisition #:	10039172
Department Contact:	AMANDA AYCOX
Date of Request:	07/3/2013
Contract Amount:	\$3000.00

Please submit request to HumanResources@san-diego.gov or MS 56L

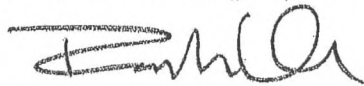
Question	Department Response
What is the contract for?	DEPARTMENT OPEN FOR FENCING REPAIR AT VARIOUS LOCATIONS.
Are City employees currently performing any of the work?	<u>No</u>
Will any City employees be displaced as a result of this bid?	<u>NO</u>
If this is a renewal of an existing contract, how long have these services been contracted out?	<u>NO</u>
Is this a Public Works Contract? (construction, reconstruction or repair of City buildings, street or other facilities)	<u>No</u>
Is this a Tenant Improvement?	<u>No</u>
Was another department contacted to determine if they can or do perform this service (i.e. Streets, Facilities, etc.)? If so, please attach communication.	<u>No</u>

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HUMAN RESOURCES DEPARTMENT USE ONLY

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☒ **APPROVE**



7/16/13

Human Resources Department Liaison

Date

AGREEMENT BETWEEN THE CITY OF SAN DIEGO (CITY)
AND
AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES LOCAL
127 (LOCAL 127) REGARDING AMENDMENTS TO THE CONTRACTING PROTOCOLS'
PROJECT LIST

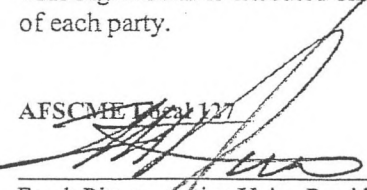
Whereas, on April 8, 2011, the parties executed the Contracting Protocols Side Letter Agreement, which included a Project List which may be amended annually by agreement of the parties.

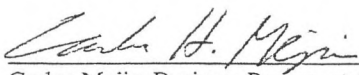
Whereas, after meeting and conferring in good faith on January 17, 2012, September 17, 2012, as well as various informal telephonic and in person meetings, the City has satisfied its obligations under the Meyers-Miliias Brown Act to meet and confer with LOCAL 127 regarding changes to the Project List, which set forth types of work that may be contracted out without further meetings with or notification of LOCAL 127 as follows:

1. The City and LOCAL 127 agree effective upon execution of this Agreement to modify the "Project List" attached as Exhibit I of the Contracting Protocol Side Letter Agreement between the City and LOCAL 127 with the Attached (Exhibit A).
2. Both parties agree that items listed on the "Project List" may be contracted out, at the City's discretion, but that the City is not required to do so where City workforce is available to do to the work. However, parties agree that City's use of bargaining unit members to complete work on the "Project List" does not establish a practice or precedent and shall not be grounds for future removal from the Project List.
3. Both parties will meet and confer as necessary to resolve future issues or conflicts as related to this Agreement. However, such request for a meet and confer shall not preclude the City from engaging a contractor for work on the Project List

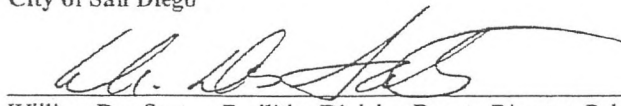
This Agreement is executed on this ²3rd day of ^{Nov}October, 2012 by the following authorized representatives of each party.

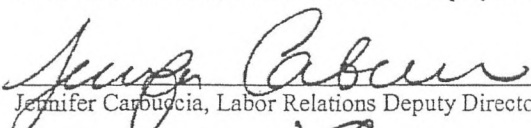
AFSCME Local 127

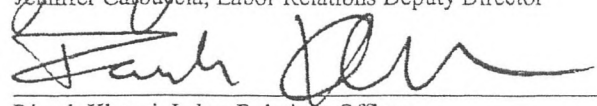

Frank Pitarro, Acting Union President


Carlos Mejia, Business Representative

City of San Diego


William Dos Santos, Facilities Division Deputy Director, Public Works Department


Jennifer Capoduccia, Labor Relations Deputy Director


Rimah Khouri, Labor Relations Officer

Project List

City and AFSCME Local 127 agree that items listed on the "Project List" may be contracted out, at the City's discretion, but that the City is not required to do so where City workforce is available to do the work. However, parties agree that City's use of bargaining unit members to complete work on the "Project List" does not establish a practice or precedent and shall not be grounds for future removal of the work from the Project List.

Facilities	
BUILDING SYSTEMS & INTERIOR	
	Elevators/escalators
	Cabinet fabrication ¹
BUILDING EXTERIOR	
	Stucco
→	Fences
	Gates
	Window replacement/multi-story (three or more floors) and historical
	Flagpoles
ROOF	
	Clay Tile Roofs (including Domed that requires tile setting)
	Metal Standing Seem Roof
	Membrane (Rubber, vinyl) or Thermoplastic-Polyolefin
	Hot Tar
	Historical buildings requiring compliance with the Historical Board approval and guidelines
	Roofs requiring scaffolding (above 30 feet or three stories, whichever is lesser) or which management and assigned roofer determine is dangerously inaccessible
	Seamless rain gutters or seamless leaders
	Roof removal of greater than 3,000 sq ft.
	Roof abatement
	Installation or upgrades to Historical Buildings which do not require Historical Board approval
REGULATORY/SECURITY	
	Fire sprinkler systems
	Security systems, cameras
	Alarm system and panel (Fire/Security) (except maintenance)
	Emergency paging/overhead alerting system (except maintenance)
ENTRY	
	Storefront Doors and Glazing
	Power Gates
	Garage Bay Doors (Example: Apparatus doors, fire station doors)
	Roll Up Doors

¹ This does not include installation or repair of existing or prefabricated cabinets.

Project List

City and AFSCME Local 127 agree that items listed on the "Project List" may be contracted out, at the City's discretion, but that the City is not required to do so where City workforce is available to do the work. However, parties agree that City's use of bargaining unit members to complete work on the "Project List" does not establish a practice or precedent and shall not be grounds for future removal of the work from the Project List.

EQUIPMENT
Wheelchair lifts
Removal/Moving of Fixed Assets (Example: vehicle lifts and racks)
Machinery Repair (Example: lathes, saws, metal brakes, welders)
Air Compressor (except minor repairs to air and light rig compression systems)
Equipment Exhaust extraction
FLOORING (ALL) – (EXAMPLE: CARPET, LINOLEUM)
Except installing/repairing/maintaining Ceramic Tile
Except installing/repairing small sections of vinyl composite tile (VCT) (12 ft by 12 ft or less)
LANDSCAPE/HARDSCAPE
Fountain and ponds ²
Walkways (part of facility) (excluding parkland)
MISCELLANEOUS
Appliance (Example: Microwave, Refrigerator, Stove, Ice Machine, Washer/Dryer, Exercise Equipment) delivery/installation/repair/maintenance
Decommissioning of old buildings
Contamination or emergency cleanup
Window pane or storefront window installation or repair (including glass fitting and glazing) – except small repairs using polycarbonate (Lexan))
Pest control and removal (Example: bees and rodents)
NEW FACILITY PLANNING
Commissioning of new buildings; delivery/installation of furniture, and fixtures & equipment (FF&E)
Streets
ROADWAY MAINTENANCE
Slurry sealing
Street condition assessment
TREES
Root pruning
Routine street tree trimming (excluding emergency and service requests)
Palm tree trimming

² This does not include installation, repair or maintenance of drinking fountains.



City of San Diego PURCHASING
CONTRACT
Bid No: 10013916-11P

Cont. No. 4600000535

Page 1 of 11

Ship To: Center ID: PDUM

Bill To:

Dummy Storage Location-Do Not Use
Dummy Storage Location-Do Not Use
Dummy
CA 92101

Date: 02/07/2011

Last Option End Date: 02/14/2016

Validity End Date: 02/14/2012

Vendor: South Bay Fence Inc
3084 Main St
Chula Vista CA 91911-5704

Terms:
Within 30 days Due net

Delivery Terms:
FOB FREE ON BOARD

Vendor ID: 0010013418 Phone: 619-420-3410 Fax: 619-420-5665

Buyer: PATRICK KELLEHER *PK*

Phone:

Fax:

E-Mail: pkelleher@sandiego.gov

Line #	Item ID/Description	Quantity/UM	Unit Price	Extended Price
This Document is for Contractual Information Only and is NOT a Purchase Order. Purchase Orders Will be Issued as Needed See Purchase Orders for the delivery and billing address...				
1	8" Double Wheel	1 EA	\$ 52.00	\$ 52.00
2	Angle Iron Track 1' X 1"	12 FT	\$ 3.00	\$ 36.00
3	Brace Bands 1 5/8"- 6" w nut and bolt	44 EA	\$ 1.00	\$ 44.00
4	Cement Post Footings	34 EA	\$ 12.00	\$ 408.00
5	Chain Link Fence 3 1/2' h x 9ga green	50 FT	\$ 4.65	\$ 232.50

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For specific information regarding contract opportunities with the City of San Diego, please visit our Bid & Contract Opportunities web site at www.sandiego.gov/bids-contracts.

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Page 2 of 11

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Vendor ID: 0010013418

Phone: 619-420-3410

Fax: 619-420-5665

Buyer: PATRICK KELLEHER

Phone:

Fax:

E-Mail: pkelleher@sandiego.gov

Line #	Item ID/Description	Quantity/UM	Unit Price	Extended Price
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6	vinyl Chain Link Fence 4' h x 9 ga black vinyl	50 FT	\$ 5.25	\$ 262.50
7	Chain Link Fence 5' h 9ga green vinyl	10 FT	\$ 6.60	\$ 66.00
8	Chain Link Fence 6' h 11 ga	156 FT	\$ 2.95	\$ 460.20
9	Chain Link Fence 8' h 9 ga	10 FT	\$ 4.48	\$ 44.80

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City of San Diego PURCHASING
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Vendor: South Bay Fence Inc 3084 Main St Chula Vista CA 91911-5704 Vendor ID: 0010013418 Phone: 619-420-3410 Fax: 619-420-5665			Terms: Within 30 days Due net Delivery Terms: FOB FREE ON BOARD Buyer: PATRICK KELLEHER Phone: Fax: E-Mail: pkelleher@sandiego.gov		
Line #	Item ID/Description	Quantity/UM	Unit Price	Extended Price	
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10	Chain Link Fence 8' h 9ga black vinyl	5 FT	\$ 10.56	\$ 52.80	
11	Drop Rod Locking Bar 1 3/8"	2 EA	\$ 16.64	\$ 33.28	
12	Eye Tops 1 7/8" x 1 5/8"	20 EA	\$ 2.21	\$ 44.20	
13	Fence Ties	1,200 EA	\$ 0.15	\$ 180.00	
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14	Flat Washers	600 EA	\$ 0.10	\$ 60.00
15	Gate 10' x 6" Swing Gate	3 EA	\$ 325.00	\$ 975.00
16	Gate Fork Latch	3 EA	\$ 8.82	\$ 26.46
17	Gate Hinges	12 EA	\$ 7.72	\$ 92.64
18	Hammer Nails 1/4"	600 EA	\$ 0.10	\$ 60.00
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Line #	Item ID/Description	Quantity/UM	Unit Price	Extended Price
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19	Hog Rings 9 gauge	10 LB	\$ 3.50	\$ 35.00
20	Nails 1/2' x 12"	160 EA	\$ 1.00	\$ 160.00
21	Panel w bars 12' x 5'	1 EA	\$ 165.00	\$ 165.00
22	Pipe 1 7/8" OD	85 FT	\$ 1.54	\$ 130.90
23	Pipe 2 7/8"OD	360 FT	\$ 2.87	\$ 1,033.20
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City of San Diego PURCHASING
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Vendor ID: 0010013418 Phone: 619-420-3410 Fax: 619-420-5665

Buyer: PATRICK KELLEHER

Phone:

Fax:

E-Mail: pkelleher@sandiego.gov

Line #	Item ID/Description	Quantity/UM	Unit Price	Extended Price
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24	Pipe 3 1/2" OD	13 FT	\$ 5.00	\$ 65.00
25	Pipe 4" OD	60 FT	\$ 5.29	\$ 317.40
26	Pipe Top Rail 1 5/8"OD	550 FT	\$ 1.38	\$ 759.00
27	Post Caps 1 5/8" - 4"	32 EA	\$ 2.76	\$ 88.32
28	Poultry Netting 6' H x 150' per roll	5 ROL	\$ 105.70	\$ 528.50

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Dummy Storage Location-Do Not Use
Dummy Storage Location-Do Not Use
Dummy
CA 92101

Bill To:

Date: 02/07/2011

Last Option End Date: 02/14/2016

Validity End Date: 02/14/2012

Vendor: South Bay Fence Inc
3084 Main St
Chula Vista CA 91911-5704

Terms:
Within 30 days Due net

Delivery Terms:
FOB FREE ON BOARD

Vendor ID: 0010013418 Phone: 619-420-3410 Fax: 619-420-5665

Buyer: PATRICK KELLEHER

Phone:

Fax:

E-Mail: pkelleher@sandiego.gov

Line #	Item ID/Description	Quantity/UM	Unit Price	Extended Price
This Document is for Contractual Information Only and is NOT a Purchase Order. Purchase Orders Will be Issued as Needed See Purchase Orders for the delivery and billing address...				
29	Rail Ends 1 5/8"OD	32 EA	\$ 1.44	\$ 46.08
30	Tension Bands 1 5/8" - 4"w nut and bolt	50 EA	\$ 0.88	\$ 44.00
31	Tension Bars 4'	2 EA	\$ 2.00	\$ 4.00
32	Tension Bars 6'	8 EA	\$ 3.36	\$ 26.88
33	Top Rail Sleeves	18 EA	\$ 1.00	\$ 18.00

Have questions about doing business with the City of San Diego? Visit our Purchasing web site at www.sandiego.gov/purchasing

For specific information regarding contract opportunities with the City of San Diego, please visit our Bid & Contract Opportunities web site at www.sandiego.gov/bids-contracts.

**SEE LAST PAGE
FOR TOTAL**



City of San Diego PURCHASING
CONTRACT
Bid No: 10013916-11P

Cont. No. 4600000535

Page 8 of 11

Ship To: Center ID: PDUM

Bill To:

Dummy Storage Location-Do Not Use
Dummy Storage Location-Do Not Use
Dummy
CA 92101

Date: 02/07/2011

Last Option End Date: 02/14/2016

Validity End Date: 02/14/2012

Vendor: South Bay Fence Inc
3084 Main St
Chula Vista CA 91911-5704

Terms:
Within 30 days Due net

Delivery Terms:
FOB FREE ON BOARD

Vendor ID: 0010013418 Phone: 619-420-3410 Fax: 619-420-5665

Buyer: PATRICK KELLEHER

Phone:

Fax:

E-Mail: pkelleher@sandiego.gov

Line #	Item ID/Description	Quantity/UM	Unit Price	Extended Price
This Document is for Contractual Information Only and is NOT a Purchase Order. Purchase Orders Will be Issued as Needed See Purchase Orders for the delivery and billing address...				
34	Track Weels	2 EA	\$ 26.00	\$ 52.00
35	U-Bolt Sign Brackets 2 7/8"	36 EA	\$ 8.50	\$ 306.00
36	Labor Regular Working Hours	800 HR	\$ 38.95	\$ 31,160.00
37	Labor Overtime Hours Minimum Number of hours charged per job site - 4 Vendor gives 10% discount off list price for items not specified	200 HR	\$ 49.61	\$ 9,922.00

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**SEE LAST PAGE
FOR TOTAL**



City of San Diego PURCHASING
CONTRACT
Bid No: 10013916-11P

Cont. No. **4600000535**

Ship To: Center ID: PDUM Dummy Storage Location-Do Not Use Dummy Storage Location-Do Not Use Dummy CA 92101		Bill To:		Page 9 of 11 Date: 02/07/2011 Last Option End Date: 02/14/2016 Validity End Date: 02/14/2012	
Vendor: South Bay Fence Inc 3084 Main St Chula Vista CA 91911-5704 Vendor ID: 0010013418 Phone: 619-420-3410 Fax: 619-420-5665			Terms: Within 30 days Due net Delivery Terms: FOB FREE ON BOARD Buyer: PATRICK KELLEHER Phone: Fax: E-Mail: pkelleher@sandiego.gov		
Line #	Item ID/Description	Quantity/UM	Unit Price	Extended Price	
	This Document is for Contractual Information Only and is NOT a Purchase Order. Purchase Orders Will be Issued as Needed See Purchase Orders for the delivery and billing address...				
Have questions about doing business with the City of San Diego? Visit our Purchasing web site at www.sandiego.gov/purchasing For specific information regarding contract opportunities with the City of San Diego, please visit our Bid & Contract Opportunities web site at www.sandiego.gov/bids-contracts .			SEE LAST PAGE FOR TOTAL		



City of San Diego PURCHASING
CONTRACT
Bid No: 10013916-11P

Cont. No. **4600000535**

Page 10 of 11

Ship To: Center ID: PDUM

Bill To:

Dummy Storage Location-Do Not Use
Dummy Storage Location-Do Not Use
Dummy
CA 92101

Date: 02/07/2011

Last Option End Date: 02/14/2016

Validity End Date: 02/14/2012

Vendor: South Bay Fence Inc
3084 Main St
Chula Vista CA 91911-5704

Terms:
Within 30 days Due net

Delivery Terms:
FOB FREE ON BOARD

Vendor ID: 0010013418 Phone: 619-420-3410 Fax: 619-420-5665

Buyer: PATRICK KELLEHER

Phone:

Fax:

E-Mail: pkelleher@sandiego.gov

Line #	Item ID/Description	Quantity/UM	Unit Price	Extended Price
	<p>Notes:</p> <p>Furnish the City of San Diego with Chain Link Fence Installation, Repairs and Parts as required for a period of one (1) year from 2/15/2011 to 2/14/2012 with options to renew for four (4) additional one (1) year periods.</p> <p>Options to renew:</p> <p>2/15/2012 - 2/14/2013: Labor Increase NTE CPI or 5%; Material Increase NTE 5%</p> <p>2/15/2013 - 2/14/2014: Labor Increase NTE CPI or 5%; Material Increase NTE 5%</p> <p>2/15/2014 - 2/14/2015: Labor Increase NTE CPI or 5%; Material Increase NTE 5%</p> <p>2/15/2015 - 2/14/2016: Labor Increase NTE CPI or 5%; Material Increase NTE 5%</p> <p>Insurance to be updated as required.</p> <p>Vendor Contact: Larry Johnston; Phone: 619 420-3410; Fax: 619 420-5665; Email: info@sbf.sdcocxmail.com</p> <p>Procurement Specialist: Patrick Kelleher; Phone: 619 236-6214; Fax: 619 533-3239; Email: PKelleher@sandiego.gov</p> <p>Distribution: File, Vendor, Buyer, Martha Buelna, Juanita Mollanen.</p>			
Have questions about doing business with the City of San Diego? Visit our Purchasing web site at www.sandiego.gov/purchasing			SEE LAST PAGE FOR TOTAL	
For specific information regarding contract opportunities with the City of San Diego, please visit our Bid & Contract Opportunities web site at www.sandiego.gov/bids-contracts .				



City of San Diego PURCHASING
CONTRACT
Bid No: 10013916-11P

Cont. No. **4600000535**

Page 11 of 11

Ship To: Center ID: PDUM

Bill To:

Dummy Storage Location-Do Not Use
Dummy Storage Location-Do Not Use
Dummy
CA 92101

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Line Item Total \$ 47,991.66

Tax

Freight 0.00

Contract Total \$ 47,991.66



City of San Diego

EQUAL OPPORTUNITY CONTRACTING (EOC)

1200 Third Avenue • Suite 200 • San Diego, CA 92101

Phone: (619) 236-6000 • Fax: (619) 235-5209

WORK FORCE REPORT

The objective of the *Equal Employment Opportunity Outreach Program*, San Diego Municipal Code Sections 22.3501 through 22.3517, is to ensure that contractors doing business with the City, or receiving funds from the City, do not engage in unlawful discriminatory employment practices prohibited by State and Federal law. Such employment practices include, but are not limited to unlawful discrimination in the following: employment, promotion or upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rate of pay or other forms of compensation, and selection for training, including apprenticeship. Contractors are required to provide a completed *Work Force Report (WFR)*.

NO OTHER FORMS WILL BE ACCEPTED

CONTRACTOR IDENTIFICATION

Type of Contractor: ☒ Construction ☐ Vendor/Supplier ☐ Financial Institution ☐ Lessee/Lessor
☐ Consultant ☐ Grant Recipient ☐ Insurance Company ☐ Other

Name of Company: South Bay Fence Inc.

ADA/DBA: South Bay Fence Inc.

Address (Corporate Headquarters, where applicable): 3084 Main Street

City: Chula Vista County: San Diego State: CA Zip: 91911

Telephone Number: () (619) 420-3410 Fax Number: () (619) 420-5665

Name of Company CEO: Larry Johnston

Address(es), phone and fax number(s) of company facilities located in San Diego County (if different from above):

Address: _____

City: _____ County: _____ State: _____ Zip: _____

Telephone Number: () _____ Fax Number: () _____

Type of Business: Construction Type of License: C13, B

The Company has appointed: Lea Johnston

As its Equal Employment Opportunity Officer (EEOO). The EEOO has been given authority to establish, disseminate and enforce equal employment and affirmative action policies of this company. The EEOO may be contacted at:

Address: 3084 Main Street, Chula Vista, CA 91911

Telephone Number: () (619) 420-3410 Fax Number: () (619) 420-5665

☒ One San Diego County (or Most Local County) Work Force - Mandatory

☐ Branch Work Force *

☐ Managing Office Work Force

Check the box above that applies to this WFR.

**Submit a separate Work Force Report for all participating branches. Combine WFRs if more than one branch per county.*

I, the undersigned representative of South Bay Fence Inc.

(Firm Name)

San Diego, California hereby certify that information provided

(County)

(State)

herein is true and correct. This document was executed on this 1st day of October, 2013

(Authorized Signature)

Lea Johnston

(Print Authorized Signature Name)

WORK FORCE REPORT – Page 2NAME OF FIRM: South Bay Fence Inc.DATE: Oct. 1, 2013OFFICE(S) or BRANCH(ES): 3084 Main St., Chula Vista, CA COUNTY: San Diego

INSTRUCTIONS: For each occupational category, indicate number of males and females in every ethnic group. Total columns in row provided. Sum of all totals should be equal to your total work force. Include all those employed by your company on either a full or part-time basis. The following groups are to be included in ethnic categories listed in columns below:

- | | |
|--|--|
| (1) Black, African-American | (5) Filipino |
| (2) Hispanic, Latino, Mexican-American, Puerto Rican | (6) White, Caucasian |
| (3) Asian, Pacific Islander | (7) Other ethnicity; not falling into other groups |
| (4) American Indian, Eskimo | |

ADMINISTRATION OCCUPATIONAL CATEGORY	(1) Black		(2) Hispanic		(3) Asian		(4) American Indian		(5) Filipino		(6) White		(7) Other Ethnicity	
	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)
Management & Financial											2	1		
Professional														
A&E, Science, Computer														
Technical														
Sales			1								1			
Administrative Support				2										
Services														
Crafts														
Operative Workers														
Transportation														
Laborers*														

*Construction laborers and other field employees are not to be included on this page

Totals Each Column			1	2							3	1		
--------------------	--	--	---	---	--	--	--	--	--	--	---	---	--	--

Grand Total All Employees

7

Indicate by Gender and Ethnicity the Number of Above Employees Who Are Disabled:

Disabled														
----------	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Non-Profit Organizations Only:

Board of Directors														
Volunteers														
Artists														

WORK FORCE REPORT – Page 3NAME OF FIRM: South Bay Fence Inc.DATE: Oct. 1, 2013OFFICE(S) or BRANCH(ES): 3084 Main St., Chula Vista, CA COUNTY: San Diego

INSTRUCTIONS: For each occupational category, indicate number of males and females in every ethnic group. Total columns in row provided. Sum of all totals should be equal to your total work force. Include all those employed by your company on either a full or part-time basis. The following groups are to be included in ethnic categories listed in columns below:

- | | |
|--|--|
| (1) Black, African-American | (5) Filipino |
| (2) Hispanic, Latino, Mexican-American, Puerto Rican | (6) White, Caucasian |
| (3) Asian, Pacific Islander | (7) Other ethnicity; not falling into other groups |
| (4) American Indian, Eskimo | |

TRADE OCCUPATIONAL CATEGORY	(1) Black		(2) Hispanic		(3) Asian		(4) American Indian		(5) Filipino		(6) White		(7) Other Ethnicity	
	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)
Brick, Block or Stone Masons														
Carpenters														
Carpet, Floor & Tile Installers Finishers														
Cement Masons, Concrete Finishers														
Construction Laborers			14				1				1			
Drywall Installers, Ceiling Tile Inst														
Electricians														
Elevator Installers														
First-Line Supervisors/Managers														
Glaziers														
Helpers; Construction Trade														
Millwrights														
Misc. Const. Equipment Operators														
Painters, Const. & Maintenance														
Pipelayers, Plumbers, Pipe & Steam Fitters														
Plasterers & Stucco Masóns														
Roofers														
Security Guards & Surveillance Officers														
Sheet Metal Workers														
Structural Metal Fabricators & Fitters														
Welding, Soldering & Brazing Workers														
Workers, Extractive Crafts, Miners														

Totals Each Column			14				1				1			
--------------------	--	--	----	--	--	--	---	--	--	--	---	--	--	--

Grand Total All Employees	16
---------------------------	----

Indicate By Gender and Ethnicity the Number of Above Employees Who Are Disabled:

Disabled														
----------	--	--	--	--	--	--	--	--	--	--	--	--	--	--

DOCKET SUPPORTING INFORMATION
CITY OF SAN DIEGO
EQUAL OPPORTUNITY CONTRACTING PROGRAM EVALUATION

DATE:
October 8, 2013

- SUBJECT: Ratification of contract with South Bay Fence (Bid Number 10013916-11-P) - for fence installation and maintenance services - (1472) (REVISED)

GENERAL CONTRACT INFORMATION

Recommended Contractor: South Bay Fence (Not certified)

Amount of this Action: \$ **2,564,559 (not to exceed)**
Prior Action: \$ 847,819
Cumulative: \$ 3,412,378 (not-to-exceed)

Funding Source: City of San Diego

Goals: 2% Discount/ 20% Voluntary (SLBE, ELBE)

SUBCONTRACTOR PARTICIPATION

There is no sub-contractor activity related to this action.

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE

Equal Opportunity Required

South Bay Fence submitted a Work Force Report for their San Diego employees dated, October 1, 2013 indicating 7 employees in their Administrative Work Force and 16 employees in their Trade Work Force.

The firm's Administrative Work Force has fewer than 15 employees and therefore, is exempt from the employment category goals.

The firm's Trade Work Forces indicate no under representation in any category.

This action is subject to the City's Equal Opportunity Contracting (San Diego Ordinance No. 18173, Section 22.2701 through 22.2708) and Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Sections 22.3501 through 22.3517).

ADDITIONAL COMMENTS

This action would authorize the continuation of the contract with South Bay Fence for the purpose of providing Citywide chain link fence installation, repairs and parts services (Bid Number 10013916-11-P) in amounts not-to-exceed \$3,412,378 over a period of five years beginning in February 14, 2011 and ending in February 15, 2016.

RLL

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO RATIFYING THE CONTRACT BETWEEN THE
CITY AND SOUTH BAY FENCE, INC. FOR THE PURPOSE
OF PROVIDING CITYWIDE CHAIN LINK FENCE
INSTALLATION, REPAIRS AND PARTS SERVICES.

WHEREAS, South Bay Fence, Inc. has provided chain link fence installation and repair service to the City through a contract (Bid Number 10013916-11-P) since the completion of a competitive bid process on February 15, 2001; and

WHEREAS, the contract extended from February 15, 2011, to February 14, 2012, with four options to renew for four additional one (1) year periods; and

WHEREAS, the City exercised the first two options and during the second one (1) year extension, the contract reached the \$1,000,000 threshold requiring City Council ratification pursuant to San Diego Municipal Code § 22.3211(d); and

WHEREAS, work under this contract has been suspended until ratification and this action will allow the City to continue the contract with South Bay Fence, Inc. through February 14, 2016 if the remaining options are exercised; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the contract between the City and South Bay Fence, Inc. for the purpose of providing Citywide chain link fence installation, repairs and parts services (Bid Number 10013916-11-P) is ratified to exceed \$1,000,000, pursuant to San Diego Municipal Code § 22.3211(d).

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$813,500 in Fiscal Year 2014.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$854,175 in Fiscal Year 2015, contingent upon adoption of the Fiscal Year 2015 Annual Budget Appropriation Ordinance.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$896,884 in Fiscal Year 2016, contingent upon adoption of the of the Fiscal Year 2016 Annual Budget Appropriation Ordinance.

APPROVED: JAN I. GOLDSMITH, City Attorney

By _____
Robert A. Vacchi
Deputy City Attorney

RAV:nja
10/22/13
Or.Dept: Park & Rec. Dept.
Doc. No. 658236

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved pursuant to Charter section 265(i):

(date)

TODD GLORIA, Council President